INDIA-BANGLADESH DIALOGUE WORKSHOP ON CONFORMITY STANDARDS

SUMMARY REPORT

May 26, 2017

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Cover photo: Opening presentation by Mr. Pranav Kumar, Director CII, and the opening panel. (Credit: Staff Photographer from the Confederation of Indian Industry)

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ACRONYMS

AMEG	USAID Asia and Middle East Economic Growth Best Practices Program
APEDA	Indian Agricultural and Processed Food Export Development Authority
ARAI	Automotive Research Association of India
ASEAN	Association of Southeast Asian Nations
ASTM	American Society of Testing and Materials
BAB	Bangladesh Accreditation Board
BCSIR	Bangladesh Council of Scientific and Industrial Research
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BIS	Bureau of Indian Standards
BSTI	Bangladesh Standards and Testing Institute
BTA	Bangladesh Tanners Association
BTA	Bi-lateral trade agreement
BUET	Bangladesh University of Engineering and Technology
BUILD	Business Initiative Leading Development of Bangladesh
CAC	Codex Alimentarius Commission
CCCI	Chittagong Chamber of Commerce and Industry
CDSCO	Indian Central Drugs Standard Control Organization
CEPA	Comprehensive Economic Partnership
CII	Confederation of Indian Industries
CII-IQ	Confederation of Indian Industries - Institute for Quality
CMVR-TSC	Indian Central Motor Vehicles Rules-Technical Standing Committee
CNG	compressed natural gas
DAE	Department of Agricultural Extension in Bangladesh
DFTP	Duty Free Tariff Preference
DIPP	Indian Department of Industrial Policy and Promotion
DoT	Department of Telecommunications
DSS	draft SAARC standard
EAC	East African Community
EIC	Indian Export Inspection Council
EU	European Union
FDA	US Food and Drug Administration
FDSS	final draft SAARC standard
FMCD	Foreign Manufacturers Certification Department (Bureau of Indian Standards)
FMCS	Foreign Manufacturers Certification Scheme (Bureau of Indian Standards)
FMD	foot and mouth disease
FSS	Food Safety Standards
FSSAI	Food Safety and Standards Authority of India
FTA	Free trade agreement
GB	Governing Board (of SARSO)
GMP	Good Manufacturing Process
GSR	General Statutory Rules (Government of India Regulations)
HSMD	Indian Hazardous Substances Management Division
IHR 2005	World Health Organization International Health Regulation (2005)
ILAC	International Laboratory Accreditation Cooperation
IPPC	International Plant Protection Convention
IEC	International Electrotechnical Commission
ICD	Inland Container Depot

ISO	International Organization for Standardization
ITU	International Telecommunications Union
JIT	Just-in-time delivery process
LDC	Least Developed Country
LPG	liquefied petroleum gas
MCCI	Metropolitan Chamber of Commerce and Industry, Dhaka
MLA	Multilateral Arrangement
MFL	Bangladesh Ministry of Fisheries and Livestock
MoEFCC	Indian Ministry of Environment, Forest and Climate Change
MoFL	Ministry of Fisheries (Bangladesh)
MOHFW	Bangladesh Ministry of Health and Family Welfare
MRA	Mutual Recognition Arrangement
MRL	maximum residue levels of pesticides
NABCB	Indian National Accreditation Board for Certification Bodies
NABL	Indian National Accreditation Board for Laboratories
NIST	US National Institute for Standards and Technology
NTM	non-tariff measures
OIE	World Organization for Animal Health
PHL	Public health laboratory
POE	port of entry
PQW	Plant Quarantine Wing (of the Bangladesh Ministry of Agriculture)
PTA	Preferential trade agreement
RSCQC	SAARC Regional Sub-committee on Quality Complaints
SARSO	South Asian Regional Standards Organization
SAFTA	South Asian Free Trade Agreement
SAARC	South Asian Association for Regional Cooperation
SGS	Societe Generale de Surveillance (multinational conformity assessment body)
SME	Small and medium enterprise
SPS	Sanitary and phytosanitary
SSCB	SAARC Standards Coordination Board
STC	Sectoral Trade Committees
STI	Indian Scheme of Testing and Inspection
S&T	Science and Technology
TBT	Technical Barriers to Trade
TMB	Technical Management Board (of SARSO)
UNBS	Uganda National Bureau of Standards
VSAT	very small aperture terminal (satellite ground station)
WTO	World Trade Organization

Confederation of Indian Industry

EXECUTIVE SUMMARY

> "Everything is same [between Bangladesh and India], except the boundaries . . .let us work towards the dream of a common market."
>
> — *Mr. Sudhanshu Pandey, Joint Secretary of India's Department of Commerce, during his opening remarks at the Conformity Standards Workshop*

The workshop. The Asia and Middle East Economic Growth Best Practices Program (AMEG) partnered with two private-sector organizations — the Confederation of Indian Industry (CII) and the Business Initiative Leading Development (BUILD) in Bangladesh — to organize a two day workshop in May 2017 focused on conformity assessment related impediments to trade between India and Bangladesh. These three partners designed the workshop to have two primary objectives. The first objective was to sensitize Indian importers and Bangladeshi exporters to the applicable technical requirements, standards, and sanitary and phytosanitary (SPS) measures in five sectors: agriculture and agribusiness, textiles and ready-made garments, leather, jute, and plastics. The second objective was to identify challenges and opportunities for integrating the Bangladeshi and Indian standards regimes, thereby facilitating increased trade between these two major South Asian economies. The workshop was attended by regulatory authorities, conformity assessment organizations, and private-sector leaders.

Outcomes. The workshop produced two sets of outcomes — i.e., priorities and recommendations — and a list of stakeholders willing to participate in a task force that moves the issues forward to eventual resolution. One set of outcomes was generated by the food sector interests and one by the non-food interests. In general, workshop participants honed in on their desire to resolve issues of recognition of Bangladeshi capability to meet Indian regulatory requirements to allow a freer movement of goods and services across the India-Bangladesh border. The specific outcomes of the food sector discussion are contained in Annex F and are primarily about having conformity assessment solutions addressed during the setting of standards or having conformity assessment solutions agreed by the regulators once developed. The specific outcomes of the non-food sector discussion are contained in Annex E and are primarily about either providing better tools to exporters to meet importer needs or to establish links that will allow current conformity assessment solutions to be recognized by importing nation.

Ultimately, most conformity assessment challenges between India and Bangladesh stem from a lack of trust between standards authorities in Bangladesh and India. Announced in April of this year, the Indian National Accreditation Board for Laboratories (NABL) certified Bangladesh Standards and Testing Institute (BSTI) labs for 27 products, primarily in agribusiness. This is a critical opportunity for Bangladesh to prove its ability to abide by standards recognized by India. The successful implementation of this agreement should pave

Key Documents

Workshop Concept Note – Annex A
Workshop Agenda – Annex A
Initial Paper – Annex B
Participant List – Annex C
Task Force Volunteers – Annex D
Non-Food Group Outputs – Annex E
Food Group Outputs – Annex F

the way for additional agreements and increased Food Safety and Standards Authority of India (FSSAI) trust of Bangladeshi conformity assessment results. While an important opportunity, more can be done to facilitate new and strengthened relationships between Bangladeshi and Indian conformity assessment conformity assessment institutions.

Next steps. Most important is the recognition required from FSSAI to formally recognize Bangladeshi conformity assessment solutions — Bangladesh Accreditation Board (BAB) accreditation of food testing labs under agreement with NABL and BSTI inspection and testing of foods under agreement with the Bureau of Indian Standards (BIS) and alleviate the duplication of testing in India for imported Bengali food products. This can be accomplished by formal representation of BIS and NABL to FSSAI to demonstrate the equivalence established by their agreements. This would also allow the cost of testing and certification to be borne in the exporting nation, alleviating any need to purpose-build labs in the importing nation at multiple border crossings.

Next in line of importance is the recommendation that dialogue between the commerce/industry/export/import regulators in both nations be established with a view to establishing transparency. While it is recognized that the protection of the health, welfare and safety of their own citizens is clearly the responsibility of these regulators, doing this in an obstructive and bureaucratic manner smacks of protectionism and does not make use of the competent talent that exists in both nations to assist them.

In addition to teaching participants about the inner-workings of the conformity assessment infrastructure on both sides of the border and capturing key challenges and recommendations from the two groups, workshop participants were given the opportunity to volunteer for a task force that would select and work to address a limited number of the priority challenges. This list of key conformity assessment leaders (Annex D) willing to dedicate their time and energy to address these challenges is a valuable tool for defining next steps and assembling concrete and focused task forces for addressing the impediments to increased trade between Bangladesh and India.

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CREATING THE WORKSHOP

WORKING PARTNERSHIPS

Given the vast conformity assessment challenges identified through previous research on South Asia regional integration, the USAID Asia and Middle East Economic Growth Best Practices Program (AMEG) established a partnership with the Confederation of Indian Industry (CII) and Business Initiative Leading Development (BUILD), Bangladesh. These three partners designed and hosted a two-day workshop to promote better understanding of the conformity assessment requirements that currently impede more cross border trade between India and Bangladesh. The organizers created a concept paper for the workshop to focus on specific objectives (see Exhibit 1 in Annex A). The team developed an agenda (Exhibit 2 in Annex A) out of the concept paper and all parties worked toward staging the presentation of issues and discussion of resolution between participants. The workshop focused on five trade sectors: agriculture and agribusiness, textiles and ready-made garments, leather, jute, and plastics.

Together AMEG, CII, and BUILD arranged for the involvement and participation of the following organizations, all key to the development and implementation of solutions to reduce conformity assessment-related barriers to trade between India and Bangladesh:

- **Regulatory Bodies from India and Bangladesh**
  - Ministry of Commerce, Government of Bangladesh
  - Ministry of Fisheries and Livestock, Government of Bangladesh
  - Department of Commerce, Government of India
  - Food Safety and Standards Authority of India (FSSAI)
  - Export Inspection Council (EIC)
- **Diplomatic and Regional Organizations**
  - U.S. Embassy Delhi
  - Bangladesh High Commission to India
  - South Asian Regional Standards Organization (SARSO)
- **Standards and Conformity Assessment Bodies from India and Bangladesh**
  - Bureau of Indian Standards
  - Bangladesh Standards and Testing Institution, Ministry of Industries, Government of Bangladesh
  - Bangladesh Council of Scientific and Industrial Research (BCSIR)
  - Bangladesh Accreditation Board (BAB)
  - Indian National Accreditation Board for Certification Bodies (NABCB)
  - Indian National Accreditation Board for Laboratories (NABL)
- **Trade Associations**
  - Indian Jute Mills Association
  - Indian Food
  - Advanced Chemical Industries Limited (ACI)
  - Confederation of Indian Industry (CII)

  - Bangladesh Garment Manufacturers & Exporters Association (BGMEA)
  - Bangladesh Tanners Association (BTA)
  - Chittagong Chamber of Commerce & Industry (CCCI)
  - Metropolitan Chamber of Commerce & Industry, Dhaka (MCCI)

- **Importers and Exporters**
  - PRAN Foods Ltd.
  - N. Mohammad Plastic Industries Ltd.
  - Alhaj Jute Mills Ltd.
  - Babylon Group
  - Hifs Agro Food Industries
  - Rahimafrooz (Bangladesh) Ltd.
  - Creation (Pvt) Ltd.
  - New Age Group
  - Platinum Jubilee Jute Mills Ltd. (an enterprise of Bangladesh Jute Mills Corporation)"
  - Muez-Hest India Pvt. Ltd.
  - National Polymar Group
  - Bangladesh Garment Manufacturers and Exporters Associtation
- **Trade Service Organizations**
  - APJ-SLG Law Offices

AGENDA FOR DISCUSSION

The organizers developed an agenda for the workshop (Exhibit 2 in Annex A) that was centered around experienced conformity assessment specialists who have experience in training on conformity assessment/standards. They covered all the vital aspects of how partnerships between Indian importers and Bangladeshi exporters can more readily establish conformance with Indian Standards regimes. During the first day, these Bangladeshi and Indian conformity standards experts delivered presentations focusing on the inner-workings of the Indian standards regime and its evolution in recent years. The second day was set aside for discussion to allow participants from each of the identified trade sectors to better equip experts and trainers to transfer knowledge to affected organizations in each sector in each nation. More specifically, the groups focused on:

- Establishing a description of the sector for both importers and exporters
- Identifying the standards issues and conformity assessment issues for the sector
- Identify the organizations are involved and can help reduce barriers in that sector
- Identify the root capacity issues underlying sector-specific challenges

These discussions yielded the recommendations and findings outlined in Annexes E and F. See Exhibit 2 in Annex A for the final detailed agenda.

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DELIVERING THE WORKSHOP

DAY 1 ACTIVITIES

Along with the presentations described in the agenda in Exhibit 2 of Annex A, CII and BUILD prepared a background paper that was distributed to the participants on the first day (see Annex B). This paper provides an overview of conformity assessment in Bangladesh and India, highlighting key trends internationally, regulations, institutional players, and recent changes in Bangladesh and India, and challenges as documented by previous research.

The aim of Day 1 was to achieve a common understanding of the current conformity assessment landscape and create a group of concerned stakeholders to establish dialogue with authorities so as to reduce the barriers to trade in each identified sector.

DAY 2 ACTIVITIES

Two discussion groups were created on Day 2. The first was for agriculture and food products. The second was for the other four non-food sectors (including jute).

Non-Food group discusses challenges and agrees on outcomes

Two facilitators were engaged to take the groups through the questions outlined on the previous page. The non-food group was able to meet all the agenda items for their sectors during the day. Ideas were discussed and documented.

The food group encountered difficulty in that the facilitator focused more on presentation to the group, which left less time for facilitating dialogue and generating concrete proposals for removing conformity assessment-related NTBs.

LIST OF PARTICIPANTS

A list of participants for both days is contained in Annex C.

The food group learns about issues related to food exports

OUTPUTS OF THE WORKSHOP

GENERAL CONCLUSIONS AND RECOMMENDATIONS

Participants in the workshop highlighted many challenges to increasing exports from Bangladesh to India — while the discussion was designed to focus on challenges related to conformity assessment, participants gravitated to other regulatory challenges throughout the workshop. For example, participants cited loading and unloading costs as a trade barrier, which should be addressed with the implementation of the Bangladesh, Bhutan, India, and Nepal (BBIN) Motor Vehicles Agreement. Participants from the jute sector complained about India's requirement that the outside of Bangladeshi jute sacks be labeled "Made in Bangladesh", which drives up transaction costs. More importantly, Indian exporters who use Bangladeshi jute bags prefer not to have labels that say "Made in Bangladesh" when the products inside are Indian products being exported abroad. Another related recommendation was the creation of more Integrated Customs Ports (ICPs), as only three of 25 Bangladesh-India land ports are ICPs.

Although non-conformity assessment regulatory issues played a major role in the discussion, participants also discussed standards-related NTBs. Based on the group discussions, the major standards issues stem from India not recognizing Bangladeshi conformity assessment results. These issues are particularly concentrated on agricultural and food products. Below is a list of some general issues from the workshop:

- **Lack of trust.** Ultimately, the big challenge stems from a lack of trust between standards authorities in Bangladesh and India. However, announced in April of this year, NABL certified BSTI labs for 27 products, primarily in agribusiness. This is a critical opportunity for Bangladesh to prove its ability to abide by standards recognized by India. The successful implementation of this agreement should pave the way for additional agreements and increased FSSAI trust of Bangladeshi conformity assessment results.
- **Lack of laboratories near the border.** As IPEC has documented in previous assessments, the closest certified labs to the Bangladesh-India border are in Kolkata. This increase transaction costs due to conformity requirements acting as a non-tariff barrier to trade. One potential idea worth exploring is the creation of a jointly-managed certified lab for agricultural products near the Benapole-Petrapole land port.

Given the trust issue, AMEG's Conformity Assessment Advisor recommended meetings to formally create relationships between the conformity assessment infrastructure of the exporting nation (BSTI and BAB) with the regulatory agencies of the importing nation (FSSAI and BIS). This exercise in building trust and transparency can be accomplished by the involvement of the Indian conformity assessment infrastructure (standards bodies and accreditation bodies) to promote the equivalence of both nation's own systems to the Indian Food Authority.

NON-FOOD GROUP OUTPUTS

The outputs of the Day 2 discussions of the non-food group are contained in Annex E. The specific conclusions are somewhat varied, due to the different issues facing the sectors, but can be summed up as follows:

- There is a perception of a lack of fairness in treatment of imports from Bangladesh. Such may not be factual, but it is worth the effort to address the perception.
- Conformity assessment systems (and the concomitant reports and certificates) in exporting nations are not recognized by importing nation regulatory agencies.
- Cross border transportation issues are impeding the freer flow of goods. An example of this is the requirement for trucks to be completely unloaded before clearance, and the goods transferred to another vehicle licensed the importing nation at the border.

The most common set of solutions raised by the group involved creating relationships between the conformity assessment infrastructure of the exporting nation with the regulatory agencies of the importing nation. This is an exercise in building trust and transparency, and it is an absolute requirement before any reduction in barriers to trade can be accomplished.

FOOD GROUP OUTPUTS

The outputs of the Day 2 discussions of the food group are contained in Annex F. These outputs essentially provide a set of requirements for exporters in Bangladesh to meet, without considering the possibility of improving relations with the Indian Food Authority. The AMEG team designed the agenda in hopes of encouraging dialogue and generating ideas, which did not occur to the extent the team had hoped with the food group. Although the outputs of this group may be lacking, the participants indicated that they did learn a great deal about the Indian conformity assessment regimes and what Bangladeshi exporters need to do to comply with Indian rules and regulations. This is important knowledge for Bangladeshi participants to take back and share with their industry partners.

The most common set of solutions raised by this group also involved creating relationships between the conformity assessment infrastructures of the exporting nation with the regulatory agencies of the importing nation. This exercise in building trust and transparency can be accomplished by the involvement of the Indian conformity assessment infrastructure (standards bodies and accreditation bodies) to promote the equivalence of both nation's own systems to the Indian Food Authority.

CREATION OF THE TASK FORCE

In addition to capturing outputs from the two groups, workshop participants were given the opportunity to volunteer for a task force that would select and work to address a limited number of the priority challenges identified by the two groups. Throughout Day 2, the organizers maintained a sign-up sheet for interested parties to sign up. Annex D contains the list of volunteers. Among the key issues this group could tackle include:

- Which agencies in either nation should be approached to examine possibilities of implementing the solutions presented by the group?
- Which exporters and importers would benefit most from the training that can now be delivered by the set of trainers who were present?

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ANNEX A. WORKSHOP PREPARATION

EXHIBIT 1. CONCEPT PAPER

Dialogue Workshop on Conformity Standards

24 – 25 May 2017, Taj Mahal Hotel, Mansingh Road, New Delhi

Trade between India and Bangladesh

Over the past three decades, the global trading system has progressively liberalized with reduction in tariffs and increasing trade between nations. Progressive trade liberalization has resulted in a rising number of bi-lateral trade agreements (BTA), preferential trade agreements (PTAs), and free-trade agreements (FTAs) which have enlarged market access to domestic producers. The global trading system has moved beyond conventional barriers to trade and now faces a new frontier of challenges, such as the rise of different standards regimes.

While standards do act as barriers to trade, they have a legitimate purpose; greater market access means that products of varying quality standards are entering the domestic market. In this context, standards and technical regulations serve as a mechanism to ensure all products conform to a set of rules and regulations to ensure that better quality products reach the market. The role of standards in global trade is expected to grow as more FTAs and Comprehensive Economic Partnerships (CEPAs) between nations are signed in the future.

Understanding Impediments to Enhanced India-Bangladesh Trade

India, as one of the fastest growing economies in the world is deeply committed to South-South cooperation, and ensuring Least Developed Countries (LDCs) have greater access to the Indian economy. This commitment can be seen through the enactment of the Duty Free Tariff Preference (DFTP) scheme which grants unilateral tariff preferences to products originating in LDCs and imported into India (applicable for all LDCs). India also decreased the number of sensitive products for LDCs under the South Asian Free Trade Agreement (SAFTA). Despite these efforts, the trade gap among South Asian Association for Regional Cooperation (SAARC) countries — and particularly between Bangladesh and India — is rapidly increasing.

Bangladesh has been a staunch trade partner for India and there is a lot of potential to deepen these trade ties. There is scope, especially, for growth of imports from Bangladesh into India given the formers' expertise in many tradable products. India has reduced its tariffs to zero across all the major export items for Bangladesh. India has a positive trade balance with Bangladesh standing at US$5,307.79 million (2015-16)[1]. This is comprised of exports to Bangladesh for the same year standing at US$6,034.94 million and imports from Bangladesh for the same year standing at US$727.15 million[2] or about 12% of Indian exports to Bangladesh.

Although India has reduced its tariff to zero across all the major export items of Bangladesh, Indian businesses still have some difficulty importing from Bangladesh due to a number of non-tariff barriers. Countervailing duties have somewhat neutralized the duty free benefits. India has also been working on its own Standards Framework to implement appropriate conformity assessment mechanisms over a variety of imported products. The Bureau of Indian Standards

[1] US$5,452.90 Million as per Bangladesh Bank
[2] US$689.62 Million as per Export Promotion Bureau, Government of Bangladesh

(BIS) is the main standard setting agency in India and its Bangladeshi counterpart is the Bangladesh Standards and Testing Institute (BSTI).

Applicable standards used in both National Conformity Assessment regimes (including mandatory quality requirements) apply uniformly towards imports and exports. Although both BIS and BSTI have signed an agreement and prepared and action plan on cooperation in standardization and conformity assessment, there has not been any visible improvement in the free passage of goods and services across the border between the two nations.

For goods imported into India, the conformity assessment protocols that govern are set by a number of organizations. Indian importers need to understand requirements of the Indian Food Safety and Standards Act for agro and agro processing food products. These mandatory standards for importing plants, fruits and seeds into India fall under the watchful eye of the Food Safety and Standards Authority of India (FSSAI). As regards textiles, Indian importers must understand which textiles are permitted as explained under the Environment Protection Act.

In other areas, India is developing new ecosystem standards in line with global best practices, and conformity to these standards may pose difficulties for LDCs such as Bangladesh. In order to allow Indian businesses to enhance their imports and reach a larger share of the Indian market, Bangladeshi exporters must also agree and understand conformity to a whole host of Indian Standards. It has been observed that there is significant misunderstanding of these requirements by both Indian importers and Bangladesh exporters.

Creating Tools to Overcome Impediments to Trade

Given these conformity assessment challenges, the USAID Asia and Middle East Economic Growth Best Practices Program (AMEG) established a partnership with the Confederation of Indian Industry (CII) and Business Initiative Leading Development (BUILD), Bangladesh. These three partners designed and are hosting a two-day workshop to promote better understanding of the conformity assessment requirements that currently impede more cross border trade between India and Bangladesh. The workshop will take place in New Delhi, India on the 24th and 25th of May 2017.

The workshop is aimed towards sensitizing Indian importers and Bangladeshi exporters (and associated government officials) about the applicable technical requirements, standards, and sanitary and phytosanitary measures that impact the flow of goods and services into India from Bangladesh. Such understanding is crucial for any cross border trade to successfully reach Indian markets.

The workshop will cover the following trade sectors:

- Textiles
- Jute and Jute products
- Plastics
- Leather
- Agro and Agro processing products

The workshop will be facilitated by experienced conformity assessment specialists who have experience in training on conformity assessment/standards. They will cover all the vital aspects of how partnerships between Indian importers and Bangladeshi exporters can more readily establish conformance with Indian Standards regimes.

A successful workshop will result in the creation of at least one Task Force that uses momentum from the workshop to address specific conformity assessment challenges impacting trade between India and Bangladesh. Their work will focus on conformity assessment tools (standards, testing, inspection, and certification) and cross border transportation to facilitate the reduction of trade restrictions between the two nations.

On the second day, conformity assessment experts from India's Standards Authorities will train specialists to work with organizations from both nations and address relevant issues within each of the trade sectors identified above. The second day will concentrate on those trade sectors and seek to provide tools to these specialists and their organizations on the conformity assessment infrastructure available in each nation to support trade for each of the sectors identified.

As there is a need for compliance with the rules and regulations governing those products in India, procedures for applying for import permissions will also be discussed.

The overall aim is to ensure that the Indian importers and Bangladesh export partners gain the required information towards improving their internal processes in order to conform to Indian conformity assessment requirements. The workshop will include participation from Indian government organizations and businesses/industry and will allow participants from both the countries to engage with each other on how to collaborate to ensure mutual benefit.

By the end of the workshop, the participants should be equipped with the requisite knowledge on standards of both the countries and how such standards can be adopted for ensuring more efficient trade.

EXHIBIT 2. WORKSHOP AGENDA

Dialogue Workshop on Conformity Standards Taj Mahal Hotel, Mansingh Road, New Delhi 24-25 May 2017	
Day 1 — Wednesday, 24 May 2017	
9:00 – 9:15	**REGISTRATION**
9:15 – 9:45	**Opening Session and Introductions** • Welcome: Mr. **Pranav Kumar**, Head of International Trade Policy, the Confederation of Indian Industry • Welcome: **Mr. Isaiah Oliver**, Deputy Chief of Party, AMEG Project, Chemonics International • Opening Remarks: **Ms. Ferdaus Ara Begum**, Chief Executive Officer, BUILD Bangladesh • Opening Remarks: **Mr. Chad Norberg**, First Secretary/Trade Unit Chief, U.S. Embassy New Delhi
9:45 – 10:05	**Keynote Address** Speaker: **Mr. Sudhanshu Pandey**, Joint Secretary, Department of Commerce, Government of India
10:05 – 10:45	**The Globally Emerging Standards System: An Overview** Presenter: **Mr. J. Edgar (Ned) Gravel,** Senior Standards Advisor**,** USAID Asia & Middle East Economic Growth Best Practices Program (AMEG) • *The session aims to discuss global trends and the legislative, implementation, and capacity gaps related to conformity assessment preventing increased trade flows. It will also help participants better understand existing standards and conformity assessment policies/procedures/*
10:45 – 11:00	**COFFEE/TEA BREAK**
11:00 – 12:00	**Conformity Standards Challenges in South Asia** Presenters: **Dr. Selim Raihan,** South Asia Standards Expert, USAID Asia & Middle East Economic Growth Best Practices Program (AMEG) **Mr. T.S. Vishwanath,** Principal Advisor, APJ-SLG Law Offices • *This session aims to highlight the conformity standards-related challenges facing Bangladeshi and Indian companies and the economic impact of those challenges. Dr. Raihan will also discuss the legislative, implementation, and capacity gaps that need to be addressed.*
12:00 – 13:00	**Tackling Challenges in World Market on Standards and Conformity Assessment** Speaker: **Mr. Anil Jauhri,** Chief Executive Officer, National Accreditation Board for Certification Bodies (NABCB) **NABL Role in International Laboratory Accreditation Across Borders** Speaker: **Mr. N. Venkateswaran**, Director, National Accreditation Board for Testing & Calibration Laboratories (NABL)

	• *This session aims to highlight the most recent steps taken by Indian private and public sectors in tandem with Government policies. It will give a better understanding of the current direction and state of the Indian standards system*
13:00 – 14:00	**LUNCH**
14:00 – 15:30	**India's Standards Regime: Import Regulation and Mandatory Certification** Speaker: **Mr. Shouvik Chanda**, Scientist C, Foreign Manufacturers Certification Department, Bureau of Indian Standards **Experiences Sharing about Export Quality Control and Inspection Procedures** Speaker: **Dr. S. K. Saxena**, Director, Export Inspection Council • *During this session, India's key standards setting bodies and quality control institutions will deliver short presentations highlighting recent and expected changes to India's standards regime, as well as commonly observed conformity assessment issues with Bangladeshi imports.*
15:30 – 15:45	**COFFEE/TEA BREAK**
15:45 – 17:00	**Panel Discussion: Questions and Feedback** Moderator: **Mr. J. Edgar (Ned) Gravel,** Senior Standards Advisor Panelists: **Mr. Shouvik Chanda**, Scientist C, Foreign Manufacturers Certification Department, Bureau of Indian Standards **Ms. Sashi Rekha**, Director, National Accreditation Board for Certification Bodies (NABCB) • *Questions, feedback, and discussion about India's standards regime, recent and expected changes, capacity constraints, training priorities, and emerging opportunities.*
17:00 – 17:15	**Priorities for Day 2 and Closing Remarks** Speaker: **Pranav Kumar**, Head of International Trade Policy, the Confederation of Indian Industry
Day 2 — Thursday, 25 May 2017	
9:00 – 9:30	**REGISTRATION**
9:30 – 9:45	**Welcome Remarks** Speaker: **Isaiah Oliver**, Deputy Chief of Party, AMEG Project, Chemonics International

9:45 – 11:00	**Breakout Training of Trainers #1. Standards and Conformity Context and Challenges** *Group 1: Non-agricultural products* Trainer: **Mr. T.S. Vishwanath,** Principal Advisor, APJ-SLG Law Offices *Group 2: Agro and Agro Processing Industry* Trainer: **Mr. Sanjay Dave**, Former Chairman, Codex Alimentarius Commission and Advisor - FSSAI Description: *The trainers will facilitate and guide discussions, document ideas, and develop consensus focusing on sector-specific issues. In Session 1, each group will discuss:* • *Description of the sector for both importers and exporters* • *Standards issues for the sector* • *Conformity assessment issues for the sector* • *Who is involved and who can help reduce barriers in that sector*
11:00 – 11:20	**COFFEE/TEA BREAK**
11:20 – 13:00	**Breakout Training of Trainers #2. Capacity Constraints and Training Priorities** Trainers: same as above Description: *The trainers will facilitate and guide discussions, document ideas, and develop consensus focusing on sector-specific issues. In Session 2, each group will discuss:* • *The root capacity issues underlying sector-specific challenges* • *Issues for trainers to concentrate on*
13:00 – 14:00	**LUNCH**
14:00 – 15:45	**Breakout Training of Trainers #3. A Training Agenda for Importers and Exporters** Trainers: same as above Description: *The trainers will facilitate and guide discussions, document ideas, and develop consensus focusing on sector-specific issues. In Session 3, each group will discuss draft an agenda for training to importers and (more importantly) exporters in that sector.*
15:45 – 16:00	**COFFEE/TEA BREAK**
16:00 – 17:00	**Report Out and Next Steps** Speaker: **Mr. J. Edgar (Ned) Gravel,** Senior Standards Advisor Description: *Each group will present key elements of their training agenda and next steps.*
17:00 – 17:30	**Closing Statements – Vote of Thanks** Speaker: **Ferdaus Ara Begum**, Chief Executive Officer, BUILD Bangladesh Speaker: **Pranav Kumar**, Head of International Trade Policy, the Confederation of Indian Industry
17:30	**CONCLUSION OF WORKSHOP**

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ANNEX B. INITIAL PAPER TO PARTICIPANTS

Workshop on Standards and Conformity Assessment with Regards to Bangladesh-India Trade Relations

Background Paper For
Private Sector Stakeholders and Government Officials

1. Introduction

Government reliance on standards to define sufficiency in the suitability of products and services has been replacing other government approaches and regulatory inspection over the last 20 years such that the World Trade Organization now calls for their use around the world as the means to specify what is safe and appropriate for consumers of importing nations. Industry, in several countries, is now advocates of the use of standards. Increased consumer awareness makes the overall effort of standardization an important tool in producing, delivering, and using products and services that do not threaten the health, welfare and safety of the citizens of the importing nation and help reduce the barriers to the free flow of such goods between nations.

Governments enforce regulations to protect their own citizens. The Sanitary and Phytosanitary (SPS) Agreement and the Agreement on Technical Barriers to Trade (TBT) of the World Trade Organization (WTO) gives governments the right to protect human, animal and plant life within their nation as long as their actions do not lead to unfair blockage of market access. The assessment conformity of products and services, that determines whether they fulfill regulatory or standards requirements, is an important component in a nation's toolkit for such work.

Private standards are now added to the list of product and service specifications to enhance social responsibility of producers and the preferences of consumers. As a consequence, assessment of conformity to these "voluntary" standards is also increasing

Global and regional value chains now include vendors in this has forced companies to implement more stringent conformity assessment to ensure that goods and services meet standards acceptable to consumers and regulations specified by governments.

As Gordon Gillerman, former Director of the Standards Coordination Office (SCO) at the US National Institute of Standards and Technology (NIST) says, in one of his publications, the just in time (JIT) delivery model, used by companies globally to cut manufacturing time and costs, forces their suppliers of intermediates and raw materials to conform to agreed standards and practices so that the final product meets customer expectation.[3]

2. Globally Emerging Standards Systems: An Overview

Standards are developed nationally and internationally, the former being done increasingly to replace regulations. In the case of Least Developed Countries (LDCs) or developing countries, there is also a growing trend to align standards/technical regulations to help attract investment. Investors may wish some assurance that their substantial investments will not be threatened by cheaper local or imported goods. Although this approach may seem appropriate to some, it is contrary to the spirit and the letter of the WTO agreements.

Standards and technical regulations allow a nation to implement effective marketplace mechanisms to prevent non-conforming products from reaching markets and removing them when they do, implementing

[3] Gordon Gillerman : Making the Confidence Connection: Conformity Assessment System Design.

penalties for non-conforming products regulated in the market, recalling non-conforming products from the market.

In their efforts to protect human health and the environment governments invest in technology advances and research in specific conformity assessment disciplines such as testing or inspection. For instance, governments may establish their own ability to trace maximum residue levels (MRLs) of pesticides in crops through the availability of enhanced detection kits. Continuing research efforts in several developed nations have identified chemicals previously considered unremarkable, as being, in fact, carcinogenic.

Endocrine disruptors identified through research in Europe are a case in point. These developments affected exports from emerging markets because exporters lacked the requisite knowledge and tools to respond to the developing regulatory changes. Barriers to trade were more than a simple measure to protect markets from competition. Tracking such advancements and changes in conformity assessment requirements from around the world, and developing an ability to respond becomes critical for LDCs to enhance or even sustain their share of global markets.

2.1 Notification Tracking

Least Developed Countries (LDCs) can track the notifications issued by the World Trade Organization (WTO) signatory nations and respond to those that fall short of WTO obligatory requirements. Over 3000 notifications under the sanitary and phytosanitary (SPS) and technical barriers to trade (TBT) agreements covering a range of products were issued by member countries of the WTO in 2016.

The USA, Brazil, the European Union, Israel, and Kenya were the top five publishers of notifications in 2016. These countries issued more than 30 per cent of total number of notifications issued in 2016. Food products, electrical appliances, machinery, auto & auto components, and chemical products were the major subjects of notified products in 2016. Food products alone included nearly US$ 1,400 billion of all world exports in 2016.

Global exports of electrical appliances, machinery, auto and chemical products exceeded US$ 2,330 billion, US$ 1,890 billion, US$ 1,345 billion and US$ 2,612 billion, respectively in 2016. These products together constituted nearly 60 per cent of the world exports in 2016. Highly traded products attract the maximum number of standards and technical regulations.

2.2 Value Chains and Standards

Value chains on many occasions mandate use of standards across the whole of the production chain. This is evident through an analysis of many standards that are imposed by countries or private sector firms across the value chains in several sectors.

Various notifications issued by WTO member countries reveals that a large number of notifications issued by countries in ASEAN, Africa or Latin America are for raw materials or intermediate goods. Regulations developed and the numbers of notifications issued in these sectors is probably driven by two factors. The first is to ensure that final products using these raw materials or intermediates are not hampered due to by lack of demonstrated conformance to requirements. The second is probably to protect local manufacturers from the loss of market share to non-conforming products.

Increasing numbers of regulatory and conformity assessment requirements based on standards can impede exports for an SME attempting to access markets. However companies willing and able to accept and respond to changing standards will have the advantage of reducing competition that cannot meet such specifications.

2.3 GMP, Labelling & Packaging

Good manufacturing practice (GMP) is a pharmaceutics market specification issued by governments around the world. It is based on the US Food and Drug Administration (FDA) approach in use for over 30 years. This specification includes labelling and packaging requirements and the use of local language for labelling

can be challenging for exporters wishing to access markets using other languages, especially when their market share is very small. Growing consumer awareness of ingredients in final products, especially in the food industry, makes labelling and packaging a critical component of the demonstrated conformance to regulatory requirements.

2.4 Standards to Stop Non-Conforming Imports to Local Markets

Having non-conforming products that unfairly compete with local conforming ones is an issue the world over. Some sectors in India such as float glass or steel have made some requirements mandatory, that were previously voluntary, to ensure that non-conforming products and services are not granted access to local markets. Standards in this case have the ability to become an opportunity for the domestic industry to keep non-conforming products and services from local distribution.

2.5 International Standard Setting Bodies

International standard setting bodies like Codex Alimentarius Commission (CAC), International Plant Protection Convention (IPPC) and Organization for Animal Health (OIE) have important roles to play in helping make standards and conformity assessment more acceptable for sectors in emerging countries. Standards that result will better represent the needs of all participating countries while protecting human, plant and animal health.

However, several countries are now choosing to adopt standards prevalent in developed countries instead of standards set by the international agencies to ensure that there is immediate acceptability to their products in these markets. For example, there seems to be an increasing tendency on the part of some developing and least developed countries to choose to adopt the standards practiced by US and EU.

For instance, Egypt issued a notification on residue levels of pesticides, where they have referred levels prescribed by US and EU, in the absence of Codex norms. A number of African countries like Uganda and Kenya, for instance, are also harmonizing their standards with international standards or standards applicable in the US or EU. This approach is probably driven by the growing presence of foreign investments in African nations that are part of regional trade agreements.

Harmonization of standards across regional trade agreements like East African Community (EAC), South African Development Community (SADC) or Common Market For Eastern and Southern Africa (COMESA) in Africa or Gulf Cooperation Council (GCC) in West Asia can impact exporters from countries like India or Bangladesh since those standards reflect the needs of those countries which may add costs for small or medium sized exporters if they remain unaware of the developments and fail to make the necessary changes while tapping those markets.

Some of the recent notifications that have an impact for industry in LDCs and developing countries, if they remain unaware of these developments, either as a challenge or an opportunity, include the following:

The East African Community (EAC) member countries have issued new standards for food products, chemical products, petroleum products, construction products, etc. This process, it is believed, may help EAC countries strengthen their domestic market, channelize exports and also help in driving investments into these markets.

Many countries have issued stricter emission norms for vehicles and quality of fuel, which are in line with the developments in environment safety discussions.

Countries have progressed from product standards in electronic goods to energy conservation norms for sustainable development.

Mandating certification and standards for consumer products and bringing them in line with international norms.

Governments in least developed or developing countries need to focus on core principles enshrined in the SPS and TBT agreements of WTO- transparency, equivalence and harmonization to ensure that standards

or technical regulations do not end up becoming a barrier for fair access to markets. To ensure standards do not become barriers, countries have to work towards greater harmonization bilaterally or at a regional level.

Industry can overcome many hurdles faced due to the emergence of standards by keeping a close watch on the developments in their sectors in markets of interest to them and also working to raise the bar as far as meeting better standards is considered. Industry can work closely with the buyer to know the changes that are in the offing in the country of export to ensure that they do not end up losing the market due to changes in standards that are introduced by different countries.

3. Conformity Standards Challenges in South Asia

The use of standards and technical regulations in South Asia have remained important due to the increasing export of products from these countries in global markets in the last decade.

Nations across the regions have worked to meet the non-tariff measures (NTMs) adopted by others to boost exports as also bring in better products for consumers in domestic markets. Investments from developed country markets too have helped in bringing in a reasonable amount of higher focus on standards and regulations.

3.1 South Asian Regional Standards Organization (SARSO)

Further the growth of regional and bilateral trading agreements by these countries has ensured that they look at harmonizing standards, which are important to ensure easier movement of goods across borders. The South Asian Regional Standards Organization (SARSO) is a Specialized Body of SAARC.

It was established to achieve and enhance coordination and cooperation among SAARC Member states in the fields of standardization and conformity assessment and is aimed to develop harmonized standards for the region to facilitate intra-regional trade and to have access in the global market.

The South Asian Regional Standards Organization (SARSO) was established after the relevant Agreement between the SAARC nations entered into force with effect from August 2011. SARSO has its Secretariat at Dhaka, Bangladesh and commenced its operations with effect from April 2014[4].

The SAARC Standards Coordination Board (SSCB) has set up Sectoral Technical Committees (STCs) on Food and Agricultural Products; Electrical, Electronics, Telecom and IT; Jute, Textile and Leather, Building Materials and Chemical and Chemical Products. A STC on Conformity Assessment has also been established.

The SSCB agreed to initially start work on harmonization of standards on products of interest for regional trade. These include cement, sugar, biscuits, skimmed milk powder, vegetable ghee, instant noodles, electric cables, steel tubes, structural steel, textile fabric, jute, and toilet soap.

The process of development of SAARC Standards starts, according to SARSO, with preparation of a comparative chart of national standards of member states on the approved item.

The SARSO Secretariat then circulates this comparative chart to member states for their comments. These comments are then discussed by the member states in the concerned STC and draft standards are prepared.

The draft SAARC Standard (DSS) are then circulated by the SARSO Secretariat among the member states for submission of comments. These comments are then discussed in the concerned STC meeting and members agree to prepare a Final Draft SAARC Standard (FDSS).

The SARSO Secretariat then circulates this FDSS to member states for comments. The concerned STC then discusses the comments, if received from the member states, and finalizes the FDSS. The STC then forwards the FDSS to the Technical Management Board (TMB) of SARSO for consideration. The TMB after

[4] SARSO website

considering the FDSS further sends it to the Governing Board (GB) of SARSO for approval. The SARSO Secretariat publishes the SAARC Standard after approval of the GB[5].

While many of the SAARC countries have been able to build robust regulations over the years the biggest challenge has been enforcement. The ability to enforce the regulations for products that are mainly produced by the small and medium sector has always remained a big challenge as majority of these units see the non-tariff measures as a hurdle and feel that adoption of these standards will lead to increase in production costs.

The biggest challenge, therefore, for governments has been the need to sensitize the industry, especially the small and medium sector to understand that standards go a long way in sustaining markets and in many cases even lead to enhancement of markets.

3.2 WTO Notifications by South Asian Countries

As members of the World Trade Organization, South Asian countries are obliged to notify the WTO on regulations that are proposed or adopted by these countries.

The table below gives an idea of the notifications issued by the South Asian countries in 2016 at the WTO.

Notifications Issued by South Asian Countries in 2016		
Country	TBT	SPS
India	8	45
Afghanistan	2	3
Pakistan	18	-
Sri Lanka	1	6
Bangladesh	-	-
Bhutan	-	-
Nepal	-	4
Maldives	-	-
Total	29	58

Notifications issued under the TBT and SPS Agreements

Country	**TBT Notifications**	**TBT Sectors Covered**
India	8	Food, Electric appliances, Auto & auto components and Textiles
Afghanistan	2	Construction and Fuel
Pakistan	18	Construction Products, Steel, Auto & auto components, Paint products, Chemical products, Machinery and Food products
Sri Lanka	1	Machinery
India	45	Aquatic, Dairy, Packaging, Fruits & Vegetables, Meat and Meat products, Pesticides and Food Additives, Poultry products and Processed Food Products
Afghanistan	3	Animal, Plant Products and Processed Food Products

[5] SARSO website

Country	TBT Notifications	TBT Sectors Covered
Sri Lanka	6	Dairy, Food Additives and Beverages
Nepal	4	Packaged Drinking Water, Alcoholic Beverages and Melamine Residue level in Food Products

4. Bangladesh's Evolving Standards Regime[6]

Bangladesh Standards and Testing Institution (BSTI), is the only National Standards body of Bangladesh. The Government of Bangladesh established the Bangladesh Standards and Testing Institution (BSTI) with the merger of Bangladesh Standards Institution and the Central Testing Laboratories in 1985 through promulgating "The Bangladesh Standards and Testing Institution Ordinance, 1985(Ordinance XXXVII of 1985)".

The main functions of BSTI includes:

- BSTI is entrusted with the responsibility of formulation of national Standards of industrial, food and chemical products keeping in view the regional and international standards.
- BSTI is responsible for the quality control of the products, which are ensured as per specific national standards made by the technical committees formed by BSTI.
- BSTI is also responsible for the implementation of metric system and to oversee the accuracy of weights and measures in the country.

There are 3,498 standards in Bangladesh, of which 155 compulsory standards are in force. Testing and certification procedures for compulsory standards are the same for domestic and imported products. BSTI develops national standards for products and services.

International standards adopted by BSTI include 1,368 International Standardization Organization (ISO) Standards and 163 International Electro technical Commission (IEC) standards. Bangladesh is a member of the ISO 1974, and in 2001 became an affiliate member of IEC

BSTI is simultaneously the Bangladesh national standardization body (a regulatory agency) and a supplier of conformity assessment services. BSTI coordinates and heads a system of technical committees that draft voluntary Bangladeshi standards.

The system consists of a mixture of government, academia, and private sector representatives. At the same time BSTI is involved in the process of setting mandatory standards (that is, technical regulations) by advising the Ministry of Industries, which ultimately adopts mandatory standards. In most cases, the Ministry of Industries follows the advice of BSTI. Finally, BSTI provides testing, inspection, and certification against "Quality Marks" for products under mandatory certification.

4.1 The Bangladesh Accreditation Board

The Bangladesh Accreditation Board (BAB) is the national authority with the responsibility of accreditation in Bangladesh. It offers accreditation programs for various types of conformity assessment bodies, such as laboratories, certification bodies, inspection bodies, training institutions or persons in accordance with the relevant International Organization for Standardization (ISO), International Electro technical Commission (IEC), and other regulatory standards and national standards.

The Bangladesh Accreditation Board (BAB) is the statutory body established in 2006 as an autonomous organization responsible for upgrading the quality assurance infrastructure and conformity assessment procedures in Bangladesh and enhancing the recognition and acceptance of products and services in

[6] Based on Note by Dr. Selim Raihan

international, regional and domestic markets. The functions of the BAB include the following, although it has only received recognition for the accreditation of calibration and testing laboratories against ISO/IEC 17025 :

Accreditation of Testing & Calibration and Medical Laboratories accrediting to ISO/IEC 17025, ISO 15189

Accreditation of Certification Bodies IS0/IEC 17021, IS0/IEC 17024, ISO/IEC 17065

Accreditation of Inspection Bodies ISO/IEC 17020

Establishing MRA and MLA with Regional and International Forums, and cooperate with relevant national, regional and international organizations in accreditation.

Arrange Training Programs, seminar-symposium, and Proficiency Testing

Harmonization of Standards & Requirements and Exchange of Information

4.2 Ministry of Agriculture

The Ministry of Agriculture is vested with the authority to set regulations for the import of regulated articles. The various powers include: (a) issuance of Import Permit which contains phytosanitary requirements for concerned commodities; (b) compliance with Destructive Insects and Pests Rules, 1966 amended up to July, 1989 and Plant Quarantine Act, 2012; (c) activities at the point of entry including: documentation check, verification of consignment integrity, phytosanitary inspection, sampling, testing and treatment (if required), detention of consignment.

Bangladesh has 26 plant quarantine stations/entry points, three of which are located in three international airports, two in seaports, one in a river port, one in an ICD (Inland Container Depot), and the other 19 quarantine stations are located in 19 border land ports.

Plant quarantine officials must inspect all plants or plant products entering the country to check if they meet the phytosanitary requirement. Consignments are released only after the mandatory check is conducted.

4.2.1 Plant Protection Wing: Department of Agricultural Extension (DAE)

Plant protection wing of the DAE provides surveillance and forecasting for field crops that require quick action for better pest management in pest-infested areas. They also provide technical advice and justified control measures to the farmer's through field level extension workers. One of the responsibilities of Plant Protection Wing includes issuing and renewal of registration certificate of pesticides and different types of licenses such as import, repacking, formulation, whole sales stock, advertisement etc.

4.2.2 Plant Quarantine Wing: Department of Agricultural Extension (DAE)

Plant Quarantine Wing (PQW) is an important part of the DAE. Bangladesh, as one of the signatories of WTO has to abide by the WTO-SPS (Sanitary and Phytosanitary Measures) Agreement.

Plant Quarantine Wing (PQW) safeguards agriculture in the country by ensuring the prevention of entry of quarantine pests through imported plants and plants products, beneficial organisms and packing materials at ports.

It also acts as a regulating authority to boost and maintain the export of plants and plants products, beneficial organisms and packing materials according to the phytosanitary requirements of importing country in consistence with international agreements.

In order to update the plant quarantine activities of Bangladesh in international standard, the introductory work of e-phytosanitary certification system and modernization of quarantine laboratories of plant quarantine stations are being processed under the supervision of this wing.

The objective of the Plant Quarantine Wing is to implement The Plant Quarantine Act, 2011. The Director of the Plant Quarantine Wing acts as the Contact Point of the International Plant Protection Convention (IPPC).

4.3 Ministry of Health and Family Welfare (MOHFW)

Bangladesh has adopted International Health Regulation (2005) (IHR 2005) of the World Health Organization (WHO) regarding ship sanitation at ports of entry (POE). The procedures include environmental sanitation, ship inspection, and derating at POE.

The Public Health Laboratory (PHL) is responsible for checking the quality of food in order to protect the consumer from unsafe, adulterated or contaminated food as per Pure Food Ordinance, 1959 and Pure Food Rules, 1967.

The Pure Food Ordinance and Pure Food Rules contain 107 items of notified food, specified in: (1) milk and milk products; (2) edible oils and oil products; (3) sweetening agents; (4) cereals and their products; (5) starchy foods; (6) non-alcoholic beverages; (7) spices; (8) fruits, vegetables, and miscellaneous products; (9) tea and coffee; (10) bakery and confectionary products; (11) iodized salts; and (12) canned food.

4.4 Ministry of Fisheries and Livestock (MOFL)

The Bangladesh Diseases of Animals Act, 2005; the Bangladesh Animal and Animal Product Quarantine Act, 2005; and the Bangladesh Wildlife (Preservation) (Amendment) Act, 1974; are the three main legal instruments for keeping Bangladesh free from Asian highly pathogenic avian influenza (HPAI/H5N1) in animals and enable the control and eradication of the disease in case of an outbreak. Moreover, the Bangladesh Penal Code; Bangladesh Customs Act, 1969; and Imports and Exports (Control) Act, 1950 Section 3A; are used for quarantine and import bans.

For fish and fish products, SPS standards are governed by Fish and Fish Products (Inspection and Quality Control) Ordinance, 1983 and Fish and Fish Products (Inspection & Quality Control) Rules, 1997 (Amended in 2008).

4.4.1 Sanitary and Phytosanitary (SPS) standards

Sanitary standards in Bangladesh are governed by the Pure Food Ordinance 1959, as revised by Food Safety Ordinance 1994; and the 'Bangladesh Pure Food (amendment) Act, 2005 (Acto No. XXVII of 2005).

Phytosanitary standards in Bangladesh are governed by the Destructive Insects and Pest Rules 1966 and the Plant Quarantine Act 2011.

Sanitary and phytosanitary standards are also governed by other legal instruments: Bangladesh Diseases of Animal Act, 2005; Bangladesh Diseases of Animal Rules, 2008; Bangladesh Animal and Animal Product Act, 2005; Bangladesh Fish and Animal Feed Act, 2010; Bangladesh Animal Slaughter and Meat Quality Control Act 2011;

Fish and Fish Products (Inspection & Quality Control) ordinance, 1983; Fish and Fish Products (Inspection & Quality Control) Rules, 1997 (Amended in 2008); Fish Feed and Animal feed Act, 2010; Fish Feed Rules, 2011; Fish Hatchery Act, 2010; and Fish Hatchery Rules, 2011.

Santiary and Phytosanitary matters are handled by the Ministries of Agriculture, Health, and Fisheries and Livestock.

4.4.2 Labelling requirements

To protect the interests of the consumer and to maintain a standard labelling system, the Government has promulgated The Bangladesh Standards of Weights & Measures (Packaged Commodities) Rules, 2007 under the Weights and Measures Ordinance, 1982.

Accordingly the following declarations have to be made on every package: name and address of the manufacturer and packer; common or generic name of the product with all ingredients; net weight; date of manufacture and date of expiry; retail price of the package.

5. Other Agencies

- OIE (World Organization for Animal Health) Contact Point: Ministry of Fisheries and Livestock
- Bangladesh University of Engineering and Technology (BUET)
- Bangladesh Council of Scientific and Industrial Research Centre (BCSIR)
- Institute of Nutrition and Food Science (INFS)
- Bangladesh College of Leather Technology Laboratories
- Food Testing Laboratories
- Fish Inspection and Quality Control Laboratories
- Private Laboratories offering PSI (not in place now) inspection and product testing services

6. India's Evolving Standards Regime-Recent Developments in Rules and Regulations

In India standards are formulated by multiple agencies after due deliberation and discussion. India's participation in International Standardization (ISO, IEC, and ITU) is at inter-governmental level since standardization is part of government ministries[7].

Each ministry in the Central Government may define regulations, polices in its area of competence. This means that within the ministry several departments may be involved in standards and regulations within their area of competence – for example, the Ministry of Communications and Information Technology has two departments: Department of Telecommunications (DoT) which is a member of ITU and is responsible for developing and monitoring national telecommunications standards, policies and legislations whereas Department of Electronics and Information Technology (DeitY) is responsible for the electronics and IT industry and cover rest of the ICT standards; e.g. for Internet, e-governance, cyber security, national knowledge network, R&D in electronics & IT etc.

Departments and some autonomous bodies under the auspices of the Ministry of Science and Technology also participate in the definition of Indian standards/regulations. It has an objective of promoting new areas of Science & Technology and to play the role of a nodal department for organizing, coordinating and promoting S&T activities in the country.

The Department of Industrial Policy and Promotion (DIPP) also helps in bringing about important technical regulations for products which come under its purview. The same is the case with Ministry of Heavy Industry and Ministry of Steel.

The standards and technical regulations are discussed and evolved through the Standardization Technical Committee(s) that are chaired by the senior officials from the concerned Departments of Union Ministry, with participation from academia, concerned trade association representatives and select relevant private sector experts.

The recommendations of such Committees form the basis for further discussions by the Technical Committee of the Bureau of Indian Standards (BIS). Further, the BIS then seeks public consultation on the draft standard, where support by industry is taken into consideration for further potential updates of the standard.

[7] eustandards.in

The whole standards and regulation regime is an interdepartmental, inter-ministerial, administration controlled process that adhere to ISO, IEC standards and WTO agreements and guidelines.

The Ministry of Consumer Affairs, Food and Public Distribution is a central government ministry, playing a pivotal role in the standardization.

The Ministry of Consumer Affairs of India, Food and Public Distribution is divided into two parts:

- Department of Food and Public Distribution
- Department of Consumer Affairs;

The Department of Consumer affairs administers the policies for Consumer Cooperatives, Monitoring Prices, availability of essential commodities, Consumer Movement in the country and Controlling of statutory bodies like BIS.

Regulations in the food sector are administered by the Food Safety and Standards Authority of India (FSSAI) under the Ministry of Health and Family welfare.

The Food Safety and Standards Authority of India (FSSAI) was established under Food Safety and Standards Act, 2006 which consolidates various acts & orders that have hitherto handled food related issues in various Ministries and Departments.

The Food Safety and Standards Authority of India (FSSAI) was created for laying down science-based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for Password human consumption.

The FSSAI has subsumed various central Acts like Prevention of Food Adulteration Act, 1954, Fruit Products Order, 1955, Meat Food Products Order, 1973, Vegetable Oil Products (Control) Order, 1947,Edible Oils Packaging (Regulation) Order 1988, Solvent Extracted Oil, De- Oiled Meal and Edible Flour (Control) Order, 1967, Milk and Milk Products Order, 1992 etc. are repealed from 5th August 2011 commencement of FSS Act, 2006.

The Act also aims to establish a single reference point for all matters relating to food safety and standards, by moving from multi- level, multi- departmental control to a single line of command. To this effect, the Act establishes an independent statutory Authority – the Food Safety and Standards Authority of India with a head office at New Delhi. Food Safety and Standards Authority of India (FSSAI) and the State Food Safety Authorities enforce various provisions of the Act. [8]

The Bureau of Indian Standards Act, 2016 has recently replaced the older BIS Act of 1986. The 1986 Act established a Bureau for the purpose of standardization, marking and certification of articles and processes. The 2016 version seeks to broaden its ambit, and allow the central government to make it mandatory for certain notified goods, articles, processes, etc., to carry the standard mark. Under the 1986 Act, standardization, marking and certification processes applied to certain articles and processes. The 2016 Act includes goods, services and systems. A good, service, article, process and system have been defined in the new Act.

Please find below the details of the various standard setting agencies/ministries in India:

6.1 The Food Safety and Standards Authority of India

The Food Safety Standards (FSS) Act, 2006 established the Food Safety and Standards Authority of India (FSSAI), under the Ministry of Health. The FSSAI has overall responsibility for the safety of foods in India. It is empowered by the Act to regulate 'horizontal' aspects of food safety, such as additives, crop contaminants, pesticide residues, residues of veterinary drugs, heavy metals, processing aids, myco-toxins, antibiotics and pharmacological active substances and irradiation of food, as well as the packaging and labelling of foods. The FSSAI also regulates, where necessary, the safety of particular food products.

[8] FSSAI website

The FSS Act sets out 'General principles of food safety' to be followed when regulating food products as well as 'general provisions' for the different aspects of food safety. These 'general provisions' are supported by specific regulations that fix the values to be respected and the verification methods to be used. The FSS Act establishes a formal procedure for preparing, reviewing and amending food safety regulations based on scientific evidence and risk assessment. The procedure is based on the principle of separation of risk assessment and risk management.

6.2 Bureau of Indian Standards (BIS)

The Bureau of Indian Standards (BIS) is the National Standard Body of India, established under the BIS Act 1986 for the harmonious development of the activities of standardization, marking and quality certification of goods in India.

The Bureau of Indian Standards (BIS) has been providing traceability and tangibility benefits to the national economy in a number of ways - providing safe reliable quality goods; minimizing health hazards to consumers; promoting exports and imports substitute; control over proliferation of varieties etc. through standardization, certification and testing.

Under Standards formulation, BIS is engaged in formulation of Indian Standards for 14 sectors namely Chemicals, Food and Agriculture, Civil, Electrical, Electronics & Telecommunications and Information Technology, Mechanical Engineering, Management & Systems, Metallurgical Engineering, Petroleum, Coal & related Products, Medical and Hospital Planning, Textile, Transport engineering and Production and General Engineering, Water Resources. These cover important segments of economy, which help the industry in upgrading the quality of their goods and services.

The Bureau of Indian Standards (BIS) has enacted the Product Certification Scheme, which is mandatory for 68 items by the Government through various statutory measures such as Prevention of Food Adulteration Act, Coal Mines Regulations and Indian Gas Cylinders Rules besides BIS Act. Some of the items brought under mandatory certification on consideration of health and safety are milk powder, packaged drinking water, LPG cylinders, oil pressure stoves, clinical thermometers etc. All foreign manufacturers of products who intend to export to India are required to obtain a BIS product certification license. Towards this, BIS launched its Product Certification Scheme for overseas manufacturers in the year 1999. Under the provisions of this scheme, foreign manufacturers can seek certification from BIS for marking their product(s) with BIS Standard Mark.

Besides these, Hallmarking of Gold Jewelry started in April 2000 on voluntary basis under BIS Act 1986. It is aimed at protecting the consumer's interest and providing third party assurance to consumers on the purity of gold. To support the activities of product certification, BIS has established testing facilities for products of chemical, food, electrical and mechanical products.

6.2.1 FOREIGN MANUFACTURERS CERTIFICATION SCHEME (FMCS)

Introduction:

The Bureau of Indian Standards (BIS) has been operating a Foreign Manufacturers Certification Scheme (FMCS) since the year 2000. This is done under the BIS Act 1986 and Regulation 3 and 4 of the BIS (Certification) Regulations, 1987. Under this scheme, a license is granted for the use a Standard Mark which indicates that a product is compliant with Indian standards.

The license itself is granted by the Foreign Manufacturers Certification Department (FMCD) located within the BIS headquarters. It is granted for a location where the product is manufactured and tested as per relevant Indian Standard(s) and Standard Mark is applied on the product conforming to such Indian Standard(s). Certification is mostly voluntary but there are specific products which must adhere to mandatory regulations. Mandatory standards apply to specific products and the list may be revised periodically.

Table 1: No. of Sector BIS Standards

Sector	No. of Standards	Sub Group	No. of Standards
Agriculture, Agriculture Products and Implements	1062	Agricultural Implements and godowns	253
		Fertilizers including biofertilizers	68
		Pesticides and Insecticides	329
		Sprayers, Emitters, Filters and Pipes	61
		Animal Feeds and their ingredients and equipment	149
		Raw Agricultural products	200
		Good Agricultural Practice	2
Food, Food Products and food processing equipment	909	Alcoholic Drinks	20
		Dairy Products	97
		Edible oils and fats	83
		Food Additives and Food Ingredients	137
		Food processing equipment and machinery	48
		Packaged Water	11
		Tea, Coffee and Beverages	58
		Fruits and Vegetables	84
		Fish, meat and their products	116
		Ready to eat foods	85
		Food Safety	170
Leather and Leather Products	195	Leather	25
		Leather Apparels	107
		Footwear and Accessories (including PVC footwear)	63
Textile, Textile Products and Machinery	1171	Cotton, wool and manmade textile products	307
		Coir and Silk Products	20
		Jute Products	44
		Textile for special use	285
		Textile Machinery	184
		Textile dyes and auxiliaries	331

Sector	No. of Standards	Sub Group	No. of Standards
Chemicals, Plastics and their Products including packaging and Environment	1711	Plastic Films, Bottles, Jars, Pipes, Sockets and Other Products	331
		Chemicals	555
		Chemical Products	668
		Environment management	157

Source: http://164.100.105.199:8071/php/BIS/IndStndrdLocatr/newStandardsSelection.php

Compulsory Registration:

According to BIS rules, 1987, rule 13 clause f(a) the BIS is authorized to "carry out inspections and testing or testing of an article or process for conformity to any other standard if so authorized on such terms and conditions as may be mutually agreed upon"

This implies that the BIS has the authority to test products for standards compliance in cases of voluntary certification as well.

Under rule 16A of the same rules, every manufacturer of the articles notified by the Central Government for compulsory registration under clause (fa) of rule 13 has to apply to the Bureau for grant of registration for self-declaration. Any manufacturer of the articles notified by the Central Government for voluntary registration under clause (fa) of rule 13 must also do the same.

Rule 16B which clarifies the process of registration explains the rules for foreign manufacturers as follows:

"Every foreign applicant shall set up a liaison office or branch office located in India which shall meet all liabilities and obligations with respect to the Act and the rules and regulations framed thereunder for the purpose of registration : Provided that the requirement to set up an office in India shall not apply if the Bureau enters into a Memorandum of Understanding (MoU) with the concerned country for implementation of the Act and the rules and regulations framed thereunder, or if the foreign applicant nominates an authorized representative located in India who declares his consent to be responsible for compliance to the provisions of the Act and the rules and regulations framed thereunder on behalf of the foreign applicant". Said registration would be for the purpose of certification. BIS has a MoU with the Bangladesh Standard and Testing Institution (BSTI).

Table 2: List of Products Under Mandatory Certification

Product Type	No. of Products	Notification Number
Cement	13	Cement (Quality Control)Order, 2003
		S.O. No. 191(E) Dt. 17 Feb 2003
Household Electrical Goods	16	Electrical Wires, Cables, Appliances and Protection Devices and Accessories (Quality Control) Order, 2003
		No. 189(E) dated 17 Feb 2003
Food & Related Products	14	Food Safety & Standards, Prohibition & Restriction on Sales, Regulation, 2011 GSR 759(E) and GSR 760(E)
		GSR 410 dated 17 March 1967

Product Type	No. of Products	Notification Number
Oil Pressure Stoves	3	Oil Pressure Stoves (Q.C) Order, 1997 SO 451(E) dated 16 June 1997
Automobile Accessories	4	Pneumatic Tyres and Tubes for Automotive Vehicles (Quality Control) Order, 2009 S.O. No. 2953(E) dated 19-11-2009
Cylinder, Valves and Regulation	14	Explosive Act, 1884 Gas Cylinder Rules, 2016 G.S.R. No. 1081(E) Dt. 22-11-2016,
Medical Equipment	3	Clinical Thermometers (Quality Control), 2001 GSR No. 843(E) dated 9 Nov. 2001 Diagnostic Medical X- Ray Equipment AERB/443/39 MDX/3509/94,Oct. 94
Steel Products	34	Steel and Steel Products Second Order, 2012 Last amended 2014
Stainless Steel Products	3	Stainless Steel Products (Quality Control) Order, 2016 S.O. 2061(E). dated 10th June 2016
Electrical Transformers	1	Electrical transformers (Quality Control) order, 2015 S.O. 1221 (E) dated 07-05-2015
Electrical Motors	1	SO 178(E), dated 18th January 2017 Date of Implementation 01/10/2017

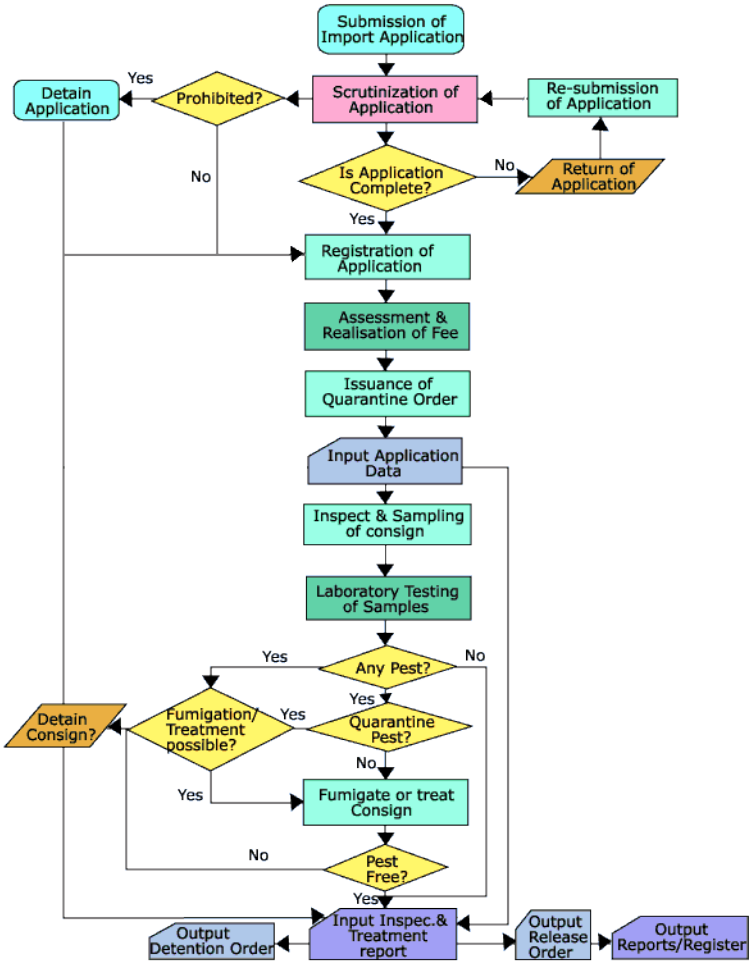
Source: http://www.bis.org.in/cert/ProdUnManCert.as\

7. Plant Quarantine Order 2003, Latest Amended 2016

The Plant Quarantine Order was issued by the Department of Agriculture to regulate imports of plants and prohibition of imported plants and plant products into India. The Order was published in the Gazette of India, dated 18th November, 2003 and has been subsequently amended. No plants, plant products and other regulated articles shall be imported into India without complying the phytosanitary conditions stipulated under this Order. The order regulates import of all plants, plant products and other articles including but not limited to seeds/grains, pods, nuts, fruits, bulbs, tubers, rhizomes, suckers, cuttings, grafts, saplings, bud woods, roots, rootstock, flowers, pollens, dry plant materials, timber, wood, logs, tissue culture plants, soil, earth, clay, sand, peat/moss, live insects, microbial culture, bio-control agents, transgenic plants and genetically modified organisms etc.

Chart 1:

Import Inspection - Flowchart



8. Ministry of Steel (Steel and Steel Products (Quality Control) Order, 2012)

Ministry of Steel, Government of India has notified Steel and Steel Products (Quality Control) Order, 2012 and Steel and Steel Products (Quality Control) Second Order, 2012 towards ensuring the quality steel products reaches to the consumer. Also the products covered under the schedule of the above order are subsequently amended.

As per this orders, "No person shall by himself or through any person on his behalf Manufacture or Store for sale, Sell or Distribute any Steel and Steel Products specified in the schedule which do not conform to the specified standards and do not bear standard mark of the Bureau of Indian Standards on obtaining Certification Marks License".

During 2012-2015, Government notified 30 carbon steel products to make available quality steel for the sectors mainly in construction, infrastructure, automobile and engineering applications. Vide Gazette Notification dated 12th March, 2012, Ministry of Steel had notified two Quality Control orders namely: Steel and Steel Products (Quality Control) Order, 2012 and Steel and Steel Products (Quality Control) Second Order, 2012. In the first order seven standards and in the second order nine products (one product was later withdrawn) were notified and now these products require mandatory certification.

Later on 18th December, 2015, Ministry of Steel notified 15 more products vide order namely Steel and Steel Products (Quality Control) Order, 2015. This covers the major flat and long products to ensure safety & security of infrastructure & engineering products made of steel. Further, the Government issued another quality control order namely Stainless Steel Products (Quality Control) Order, 2016, dated 10th June, 2016 covering thereby 3 categories of stainless steel products.

9. Ministry of Electronics & Information Technology (Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, 2012)

The Ministry of Electronics & Information Technology has notified "Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, on 3rd October 2012. The Order since then, is progressively being applied to increasing product categories of Electronic Goods.

As per the Order, no person shall manufacture or store for sale, import, sell or distribute goods, which do not conform to the Indian Standard specified in the Order. Manufacturers of these products are required to apply for registration from BIS after getting their product tested from BIS recognized labs. BIS then registers the manufacturers under its registration scheme who are permitted to declare that their articles conform to the Indian Standard(s). The registered manufacturers are then allowed to use the Standard Mark notified by the Bureau.

10. Ministry of Road Transport and Highways (Motor Vehicles Act, 1988)

Motor Vehicles Act, 1988 establishes which rules and procedures on construction, equipment, and maintenance of motor vehicles and trailers at all levels. In other words, it governs the motor vehicles, construction and maintenance. The ministry of Road Transport and Highways is the regulatory agency of automobiles sector in India. As per the act, different applications for trade certificate are available for all kinds of vehicles ranging from light motor vehicle, medium passenger motor vehicle, medium goods vehicle, to other types.

The Automotive Research Association of India (ARAI) established by the Ministry of Heavy Industries and Public Enterprises provides technical expertise in framing standards, testing and certification of automobiles, etc. This agency has been authorized to conduct test and certify both vehicles and engines. It has specified type approval requirements on the basis of category of vehicles like fuels-petrol, diesel, LPG or CNG. Testing agencies like ARAI issues type approval certificate.

In addition, under the Central Motor Vehicles Rules- Technical Standing Committee (CMVR-TSC), Automotive Industry Standards Committee has been set up Ministry of Road Transport & Highways. Since its existence in 1997, it reviews safety of motor vehicles and has notified the Automotive Industry Standards (AIS). In India industry follows regulations and standards of BIS or the United Nations Economic Commission for Europe (UNECE), or any other international standards wherever it is been prescribed.

11. Central Drugs Standard Control Organization (CDSCO)

The Director General of Health Services, Ministry of Health and Family Welfare issued the Drugs and Cosmetics Act, 1940 and Rules 1945, which regulates the pharmaceuticals sector in India. Other than this, the rules regulating medicines are incorporated in the Consumer Protection Act 1986.

The Drugs and Cosmetics Act, 1940 regulates the import, manufacture, distribution and sale of drugs, cosmetics and medical devices. It sets forth conditions for import and export of drugs and cosmetics. The standards of quality are discussed in the Act. Apart from that it defines the misbranded drug, adulterated drug, spurious drug, and the same with cosmetics. The list of products that are prohibited by the Indian Government is also mentioned under the Act.

Apart from these provisions, the Drugs and Cosmetics Act deals with manufacture, sale and distribution. However, special provisions also deal with Ayurvedic, Siddha and Unani drugs. The miscellaneous chapters deal with the power, offences, penalty, and publication of sentences passed under this Act.

12. Export Inspection Council (EIC)

Export Inspection Council notifies, specifies, establishes and promotes regulations for exports. The EIC has the power to inspect and power to seize export products if they are not complying with the rules and regulations. Till 1992 there were 958 products under Export Inspection Council. It included food and non-food products. However, now the main areas, which it actively have power include fish and fisheries products. There is no more inspection done for non-food products.

The consignments are tested for parameters of regulations being complied or not. Only then the approval is granted. The inspectors are been granted with official seals. Apart from this there is a residue monitoring program. EIC hold accredited in-house laboratories. EIC only regulate food safety and not include the content of chemical products. EIC can take up initiative to propose needs on areas that has to regulate.

EIC provides various compliance and pre-compliance services. Compliance services include solving issues related to – Certificate of Origin, e- Health Certificate, Authentication Certificate, Phytosanitary Certificate, Pre- Shipment Inspection, and Laboratory Testing. Pre-Compliance Services include – Technical Assistance, Recognition of Inspection Agencies, Recognition of Laboratories, Residue Monitoring Plans, and administering the Regional Sub-committee on Quality Complaints (RSCQC).

13. Agricultural and Processed Food Export Development Authority (APEDA)

The Agricultural and Processed Food Products Export Development Authority (APEDA) was established by the Government of India under the Agricultural and Processed Food Products Export Development Authority Act passed by the Parliament in December, 1985. In accordance with the APEDA Act the following functions have been assigned to the Authority.

- Development of industries relating to the scheduled products for export by way of providing financial assistance or otherwise for undertaking surveys and feasibility studies, participation in enquiry capital through joint ventures and other reliefs and subsidy schemes;
- Registration of persons as exporters of the scheduled products on payment of such fees as may be prescribed;
- Fixing of standards and specifications for the scheduled products for the purpose of exports;
- Carrying out inspection of meat and meat products in slaughter houses, processing plants, storage premises, conveyances or other places where such products are kept or handled for the purpose of ensuring the quality of such products;
- Improving of packaging of the Scheduled products;
- Improving of marketing of the Scheduled products outside India;
- Promotion of export oriented production and development of the Scheduled products;
- Collection of statistics from the owners of factories or establishments engaged in the production, processing, packaging, marketing or export of the scheduled products or from such other persons as may be prescribed on any matter relating to the scheduled products and publication of the statistics so collected or of any portions thereof or extracts therefrom;
- Training in various aspects of the industries connected with the scheduled products;
- Such other matters as may be prescribed.

14. Ministry of Environment, Forest and Climate Change (MoEFCC)

The Ministry of Environment, Forest and Climate Change (MoEFCC) is the nodal agency for the planning, promotion, co-ordination and overseeing the implementation of India's environmental and forestry policies and programs. The primary concerns of the Ministry are implementation of policies and programs relating

to conservation of the country's natural resources including its lakes and rivers, its biodiversity, forests and wildlife, ensuring the welfare of animals, and the prevention and abatement of pollution.

The Hazardous Substances Management Division (HSMD), MoEFCC is the nodal point within the Ministry for management of chemical emergencies and hazardous substances. The main objective of the Division is to promote safe management and use of hazardous substances including hazardous chemicals and hazardous wastes, in order to avoid damage to health and environment. The Division is also the nodal point for the following four International Conventions viz. Basel Convention, Rotterdam Convention, Stockholm Convention and the Minamata Convention.

15. Department of Industrial Policy & Promotion (DIPP)

The Department of Industrial Policy & Promotion (DIPP) was established to regulate and administrate the industrial sector. The Department is responsible for formulation and implementation of promotional and developmental measures for growth of the industrial sector, keeping in view the national priorities and socio-economic objectives. It monitors the growth and development in certain key industrial areas and makes appropriate policy amendments to address the emerging concerns.

16. Department of Telecom

The Department of Telecom has been formulating developmental policies for the accelerated growth of the telecommunication services. The Department is also responsible for grant of licenses for various telecom services like Unified Access Service Internet and very small aperture terminal (VSAT) service. The Department is also responsible for frequency management in the field of radio communication in close coordination with the international bodies. It also enforces wireless regulatory measures by monitoring wireless transmission of all users in the country.

17. Meeting Standards Requirements & Capacity Challenges in Conformity Assessment

The growing adherence to standards has meant that developing and least developed countries have to meet some strict standards/ technical regulations across the globe.

The specific problems faced by some of the least developed countries include poor physical facilities, limited academic and research capabilities and lack of funds, in some cases to set up modern laboratories for testing and certification.

This leads to a problem sometimes of the inability of accessing markets despite getting preferential tariff treatment in many developed countries. The lack of technological availability in the country also hurts least developed countries in their bid to boost their presence in developed country markets.

The lack of adequate standards and technical regulations also means that the domestic market faces the threat of imports of sub-standard and unsafe products. Further, the availability of sub-standard products may mean that the protection of the environment also becomes a difficult task for these countries.

Environment protection is becoming a big issue across the globe and LDCs and developing countries will do well to meet the requirements needed to enter some large markets.

For Example the Australian Bio-security Act 2015 replaced the Quarantine Act 1908, allowing for significant modernization of the bio-security system. The Biosecurity Act introduces new requirements that affect how the Department of Agriculture and Water Resources manages the bio-security risks of goods, people and conveyances entering Australia. The Biosecurity Act recognizes that importers have a shared responsibility to help manage Australia's bio-security system.

The import industry has been reporting instances of potential bio-security risk to the department for a number of years. Under the Biosecurity Act the Reportable Biosecurity Incidents Determination formalizes

this arrangement, conferring an obligation on persons in charge of goods that are subject to bio-security control to notify the department of certain events that may pose a bio-security risk to Australia.

Another major regulation that hit LDCs and developing countries hard was the EU REACH. However, REACH like regulations have been introduced in several countries including Taiwan, Vietnam, Malaysia, Korea and Turkey.

Some of the compliance issues in countries, if not understood, can hamper market access for several products. For instance, Indonesia imposes heavy procedures for import of glass into the country. Companies take up to three months to get a clearance from Indonesia to start exporting glass into the country. Jakarta also allows imports of fruits and vegetables into their territory only through selected ports.

Conformity Assessment becomes important to facilitate trade, access export markets and overcome the risk of rejection in several markets. For instance, India faced a huge problem while exporting grapes to the European Union. The EU rejected Indian grapes, a product with a very high export potential for India, stating that higher pesticide residues than what was allowed in the EU.

The Indian authorities responded by setting up "Grapenet" under the Agricultural and Processed Food Products Export Development Authority (APEDA). GrapeNet is an internet based electronic service offered by APEDA to the stakeholders for facilitating testing and certification of fresh grapes for export from India to the European Union.

GrapeNet is a first of its kind initiative in India that has put in place an end-to-end system for monitoring pesticide residue, achieve product standardization and facilitate tracing back from retail shelves to the farm of the Indian grower, through the various stages of sampling, testing, certification and packing[9].

This system has helped put India's grape export back on track and has also made the industry very aware of the problems of not meeting the standards set in other countries. The need for conformity assessment by the relevant authorities is also very well appreciated by the industry due to this system. In fact a lot of other products are coming under such systems to ensure that exports of products are not held back or rejected by other countries.

However, some challenges will still remain. For example countries which have foot and mouth disease (FMD) may also reject exports from other FMD prevalent countries even if it is shown that the meat is coming from an area which is outside the impacted zone in the country. In such cases again it becomes important to look at how conformity assessment becomes important for exporters.

Conformity assessment infrastructure is needed in countries to allow integration of producers and traders in the global markets and to help the private sector solve quality, compliance and certification problems hampering its aspiration to gain access to export markets and avoid multiple testing.

Governments may overcome the challenges by choosing specific sectors that have an export bias to first upgrade technical, physical and institutional infrastructure to establish standards and conformity assessment of global standard. The same may then be replicated for products sole in the domestic market that face chap and substandard imports.

18. Sector Specific Examples of Growing Standards and Technical Regulations in Developing and Least Developed Countries:

Uganda: Distinctive Mark on Commodities

The Uganda National Bureau of Standards (UNBS) has mandated that an importer, or manufacturer of any commodity for which a compulsory standard specification has been declared shall ensure that the commodity bears a distinctive mark. The UNBS has made it mandatory for having a distinctive mark for 12 sectors that are produced new and for used auto as well.

[9] APEDA website

The 12 sectors are toys, food, electrical and electronics, auto, chemical, mechanical, textile and leather, rubber, wood, paper and safety equipment. For each consignment, the importer shall apply to UNBS for use of this mark. The UNBS will allow the importer to affix distinctive mark for every consignment where sampling would have been successfully completed.

Taiwan: Marking the Presence of Restricted Substances in Intermediary Electrical Products

The Chinese Taipei authorities have made it mandatory for exporters to mark "the presence of restricted substances" on the bodies, packages, stickers, or the instruction books of the commodities exported into Taiwan. The substances that have to be marked include lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and diphenyl ethers. The Chinese Taipei authorities have prescribed a format for marking these substances.

China: Quarantine Certificate

China mandated the issuance of quarantine certificates for 11 notified pests. However, interestingly countries which do not have these pests have to also provide the quarantine certificates thereby increasing compliance costs for exporters.

GCC: Color Coded Eggs

A couple of years back, the Gulf Cooperation Council (GCC) issued a regulation stating that imported eggs will have to carry a red mark while locally procured eggs will have a green mark. This was to let consumers know whether the egg was imported or local. Countries, including India protested stating that the color choice may lead to confusion among consumers as red color may denote rejection.

Africa: Growing Harmonization

African countries such as Kenya, Tanzania, Rwanda, Uganda and Mauritius have issued product based standards for food products (dairy, canned food, cereal products, processed fruits and vegetables, fats & oil, beverages, fruits and vegetables). Similarly in non-food category, these countries have issued standards for crude oil, petroleum oils and extracts, textile materials, construction equipment's, leathers and materials, etc.

Uganda has issued more than 30 notifications of petroleum products referring American Society for Testing and Materials (ASTM) norms. Such measures are issued because of huge investments from US.

Emergence of New Regulations

An important change that has been witnessed in the recent past is of countries coming up with new regulations that meet the local social needs. For instance all Muslim countries have come up with regulations for Halal certification for export of many products. This becomes mandatory for companies to meet before exporting. The products that are now covered for Halal certification in many countries include:

- Meat and poultry (fresh, frozen and processed)
- Meat and poultry ingredients
- Dairy Products and ingredients
- Prepared Food and Meals
- Packaged Food Products
- Cosmetics and Personal Care Products
- Leather products
- Pharmaceutical Products
- Nutritional and Dietary Supplements
- Packaging Materials
- Textile products

19. Way Forward

The way forward for developing and least developed countries may be a two-pronged approach. First, create capacity in government and standard setting bodies to respond to the growing adherence to standards and second, increase the sensitization of industry to comply with international standards to build a strong domestic market and tap global markets without any problem.

There is a need for continuously track developments globally to ensure that new trends do not derail the presence of exporters in growing markets. There is also a need for greater participation in international standard setting bodies to ensure that global views on products is understood in these countries.

Finally, as Nadvi and Wa□ltring said in 2004 "standards provide a basis from which markets can be differentiated and competitive niches created. By using or implementing particular standards, producers and exporters could gain a competitive position". As the role of standards is large in both scope and scale, the growing importance of standards and technical regulations affecting international trade is of interest not only to producers and exporters, but also to governments, consumers and interested parties.

APPENDIX 1*

Foreign Manufacturers Certification Scheme

0. General

0.1 Bureau of Indian Standards (BIS) has been operating a product certification scheme for foreign manufacturers (FMCS). In this scheme, a license to use the Certification Mark of the Bureau of Indian Standards, called the Standard Mark, can be granted by BIS for any product against an Indian Standard, which is amenable to certification.

0.2 The BIS license is granted in accordance with Regulation 3 and Regulation 4 of the BIS (Certification) Regulations, 1988. The BIS license is granted indicating the location as the manufacturing address at which the manufacturing takes place, the final product is tested as per the relevant Indian Standards and the conforming product is applied with the BIS Standard Mark.

0.3 The liability of non-conformance of the Standard Marked product, if any, solely rests with the manufacturer. The role of the Bureau, as the third party certification agency, is limited to supplementing information to consumers that the product has been manufactured under a well-defined system of inspection and testing to establish its conformity to the corresponding Indian Standard. For this purpose, the definition of 'manufacturer', as given in 0.4 below, shall apply.

0.4 'Manufacturer' means a business enterprise engaged in the manufacture of any article or process, situated at a stated location or locations, that carries out and controls such stages in the manufacture, assessment, handling or storage of a product, that enables it to accept responsibility for continued compliance of the product with the relevant Indian Standard and undertakes all obligations in that connection, with regard to the granting of a BIS license to a foreign manufacturer, under the Scheme.

Source: "India's Duty Free Tariff Preference Scheme for LDCs: A Business Guide"; International Trade Centre; 2015

0.5. Through its surveillance operations, BIS maintains a close vigil on the quality of products certified.

1. Application form, checklist and application fee

1.1 Those wishing to obtain a BIS license should send to BIS a completed application form together with the requisite application fee (Schedule of Fee Structure). A separate application is required to be submitted for each product/Indian Standard. At the time of submission of the application, the documents itemized in the checklist should also be attached.

1.2 It would be in the interest of the applicant, for expeditious processing of the application, to submit the application only if the applicant satisfies the following conditions:

a) Complete manufacturing facilities for the product are available in-house in the applicant's factory at the address indicated on the application form (otherwise, details of alternative arrangements made are to be provided).
b) Complete testing facilities for the product in accordance with the relevant Indian Standard are available in-house at the applicant's factory at the address indicated on the application form (otherwise, details of alternative arrangements made are to be provided).
c) Competent testing personnel are permanently employed, who understand the requirements of the relevant Indian Standards and are competent to carry out tests for various characteristics as per the test methods prescribed in the relevant Indian Standards.
d) The product conforms to the relevant Indian Standard (assessed after testing a sample of the product in the applicant's in-house laboratory or in an accredited independent laboratory for all the requirements as per the relevant Indian Standard) and a copy of the test report(s), so generated, is(are) attached to the application.

e) The applicant agrees to comply with the requirements laid down in a document called the Scheme of Testing & Inspection (STI). This STI (which is different for different Indian Standards) includes the frequency of inspection and testing for various characteristics of the Indian Standard, which, as part of process control, are required to be carried out by the licensee after the granting of the BIS license and appropriate records maintained. Copies of STIs are available from BIS and can be obtained at any time on request including at the time of submission, when recording the application or during the visits by BIS inspecting officers.
f) The applicant undertakes to pay the requisite fee to BIS.

1.3 The foreign manufacturer shall set up a liaison or branch office located in India with the permission of the Reserve Bank of India, which shall meet all liabilities with respect to the BIS Act, Rules and Regulations for the purpose of the BIS license. The requirement to set up an office in India shall not apply if the foreign manufacturer nominates a legally appointed agent, located in India, who declares his consent to be responsible for compliance with the provisions of the BIS Act, 1986. In case of any change of address of such a liaison/branch office or of its legally appointed Indian agent, the foreign manufacturer is required to obtain prior consent from BIS in that regard before effecting such a change of address. The foreign manufacturer shall submit an undertaking to BIS that all the liabilities with respect to ensuring compliance with the BIS Act, Rules and Regulations framed thereunder; and the terms and conditions of the license, shall be met through their liaison/branch office or their legally appointed agent, located in India. The nomination of the legally appointed authorized agent in India by the foreign manufacturer is to be given in the prescribed format.

2. Preliminary inspection

2.1 The application submitted by the applicant to BIS will be scrutinized and if found to be complete in all respects, it will be recorded. If, on scrutiny, the application is found to be incomplete, the applicant will be informed accordingly.

2.2 After recording the application, a preliminary inspection shall be carried out at the applicant's manufacturing and testing address (es) by BIS inspecting officer(s) or its agent.

2.3 The cost of the preliminary inspection by BIS shall be borne by the applicant and shall include the cost to BIS of the amount of days spent by BIS officer(s), the expenditure towards travel, stay and per diem, as applicable for the BIS officer(s) as per the relevant norms of the Bureau.

2.4 In case the preliminary inspection is carried out by a BIS agent, the fees shall be arranged directly between the applicant and the agent. The applicant shall make early arrangements for inspection, including facilitating the issuance of a visa to the inspecting officer(s).

2.5 During the preliminary inspection, the competence of the applicant will be checked in respect of:

a) Availability of requisite in-house manufacturing and testing facilities as per the relevant Indian
b) Standard(s);
c) Competence of permanently employed testing personnel; and
d) Conformity of the product sample(s) to the relevant requirements of the Indian Standard, when checked in the applicant's factory during the preliminary inspection.

2.6 Sample(s) shall be provided for independent testing, which the applicant has to deposit with the laboratory indicated by the BIS inspecting officer(s) or its agent. The cost of testing of the sample(s) shall be borne by the applicant. The discretion to choose the laboratory shall rest solely with BIS.

3. Granting of the license

3.1 A BIS license is granted in accordance with Regulation 4 of the BIS (Certification) Regulations, 1988, and is granted to an applicant if:

a) The results of the preliminary inspection carried out by BIS officer(s) (see 2.5) are satisfactory;

b) The sample(s) drawn during the preliminary inspection for independent testing conform to all the requirements of the relevant Indian Standard(s);
c) The applicant agrees to comply with requirements given in the relevant STI;
d) The applicant agrees to pay the annual minimum marking fee and the license fee to BIS;
e) The applicant agrees to enter into an Agreement with BIS for due compliance of the terms and conditions of the license as given in Regulation 5 of the BIS (Certification) Regulations, 1988.

3.2 Immediately after being granted a BIS license, the licensee shall pay the annual minimum marking fee and annual license fee to BIS. Subsequently, the licensee is required to pay the marking fee quarterly, calculated on the production covered under the Standard Mark during the quarter, as per the accepted marking fee rates.

3.3 The BIS license, so granted, shall be valid for one year.

4. Agreement with BIS

4.1 The applicant shall enter into an Agreement with BIS for due compliance of the terms and conditions of the license, as given in the BIS (Certification) Regulations, 1988. The Agreement between BIS and the licensee/manufacturer shall include the provision of fees, nomination, rights and responsibilities of the licensee, determination/termination, indemnity, performance bank guarantee, non-renewal and cancellation of the license, etc.

5. Operation of license and surveillance inspections

5.1 Surveillance inspections, as per the provisions given in the BIS (Certification) Regulations, 1988, shall be carried out by BIS or its agent to assess the performance of operation of the license by the foreign BIS licensee. The cost of inspection by BIS shall be borne by the licensee, which shall include the cost to BIS of the number of days spent by BIS officer(s), the expenditure towards travel, stay and per diem, as applicable for BIS officer(s) deputed for the surveillance inspection as per the BIS (Terms and Conditions of Service of Employees) Regulations, 2007.

5.2 If inspection is carried out by an Agent of BIS, the fees shall be arranged directly between the licensee and the Agent.

5.3 Sample(s) shall also be drawn during the surveillance inspection for independent testing by BIS at its own laboratory or a BIS-approved laboratory for ascertaining conformance of the product to the relevant Indian Standard. The cost of testing the sample(s) shall be borne by BIS. However, in cases where the cost of testing is high, the testing charges shall be borne by the licensee. The decision in this regard shall rest solely with BIS. Furthermore, the discretion of choosing an independent laboratory shall also rest solely with BIS.

5.4 Samples shall also be taken by BIS from the market during the operation of the license. The cost of market samples, thus taken, shall be borne by BIS. The cost of testing of the sample(s) shall be borne by BIS. However, in cases where the cost of testing is high, the testing charges shall be borne by the licensee. The decision in this regard shall rest solely with BIS.

6. Consumer complaints

6.1 Whenever a complaint is received against a Standard Marked product of the licensee, the licensee shall carry out an investigation as per IS/ISO 10002 and take appropriate action to redress the complaint, which may include repair or free replacement of the product. If the complainant is not satisfied with the redress and lodges a complaint with BIS, then BIS will carry out an investigation and its findings and the redress so decided by BIS shall be binding on the licensee.

6.2 In the event of any damage caused by products bearing the Standard Mark, or a claim being filed by the consumer against the BIS Standard Mark, the entire liability arising out of such non-conforming products shall be with the licensee and BIS shall not, in any manner, be responsible in such cases.

7. Renewal of license

7.1 The initial validity period of the license is one year. The license may be renewed for a further period of one year or two years subject to its satisfactory operation, as observed during the surveillance inspections, conformity of factory and market samples to the relevant Indian Standard in independent testing and satisfactory redress of consumer complaints, if any, etc.

7.2 The licensee shall apply to BIS on the Renewal Application Form which should be submitted with the renewal application fee, the annual license fee (for one or two years as applicable) and the annual minimum marking fee or the marking fees calculated on a unit rate basis, whichever is higher (less the amount already paid as the quarterly fee) at least one month before the expiry date of the license. The production statement, on the basis of which the marking fee is calculated, shall also be certified by a Chartered Accountant.

8. The foreign manufacturer as the BIS licensee shall abide by the prescribed rights and responsibilities.

USEFUL LINKS

- Bureau of Indian Standards, (BIS): http://www.bis.org.in/
- Export Inspection Council (EIC): http://www.eicindia.gov.in/
- Quality Council of India (QCI): http://www.qcin.org/
- National Accreditation Board for Certification Bodies (NABCB) : http://www.qcin.org/nabcb/
- National Accreditation Board for Testing and Calibration Laboratories (NABL) : http://www.nabl-india.org/
- Food Safety and Standards Authority of India (FSSAI): http://www.fssai.gov.in/home
- National Accreditation Board for Hospitals and Healthcare Providers (NABH): http://nabh.co/
- Agricultural and Processed Food Products Export Development Authority (APEDA): http://apeda.gov.in/apedawebsite/index.html
- Plant Quarantine Service: http://plantquarantineindia.nic.in/
- Confederation of Indian Industry, Institute of Quality (CII-IQ): http://www.cii-iq.in/

ANNEX C. WORKSHOP PARTICIPANTS

No.	First Name	Last Name	Position	Organization	Country	Sector
1	Khurshid	Ahmad Farhad	Export Consultant	Advanced Chemical Industries Limited	Bangladesh	Agro
2	Monzur Morshed	Ahmed	Research Coordinator & Principal Scientific Officer	Bangladesh Council of Scientific and Industrial Research (BCSIR)	Bangladesh	Public
3	Moshaddek	Alam	Senior Communication & Advocacy Associate	Business Initiative Leading Development (BUILD)	Bangladesh	Private
4	Karthikeyan	Aranmanaipudur Venkatachalam	Proprietor	Gallop Clothing	India	RMG
5	Md.	Ashrafuzzaman	Deputy Director (Deputy Secretary)	Department of Agricultural Marketing, MoA, Government of Bangladesh	Bangladesh	Public
6	Md. Obaidul	Azam	Joint Secretary (Export)	Ministry of Commerce, Government of Bangladesh	Bangladesh	Public
7	Kaitlyn	Bacca	Activity Coordinator	USAID Asia & Middle East Economic Growth Best Practices Project (AMEG)	USA	Public
8	Shamim Ara	Begum	Director (Physical) Physical Testing Wing	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh	Public
9	Ferdaus Ara	Begum	Chief Executive Officer	Business Initiative Leading Development (BUILD)	Bangladesh	Private
10	Gulshan	Bhatla	Development Program Specialist, Program Support Office	USAID/India	India	Public
11	Bishwajit	Chakraborty	Senior Manager, Export Department	PRAN Foods Ltd.	Bangladesh	Agro
12	Shouvik	Chanda	Scientist C	Foreign Manufacturers Certification Department, Bureau of Indian Standards	India	Public
13	Bipul	Chatterjee	Executive Director	Consumer Unity & Trust Society (CUTS) International, Jaipur	India	Think Tank

No.	First Name	Last Name	Position	Organization	Country	Sector
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15	Md. Nazrul Islam	Chowdhury	Senior Officer - Regulatory Affairs	Metropolitan Chamber of Commerce & Industry, Dhaka (MCCI)	Bangladesh	Leather
16	Mohammed Alamgir	Chowdhury	Secretary Incharge	Chittagong Chamber of Commerce & Industry (CCCI)	Bangladesh	RMG
17	Vishnu	Dasgupta	Executive Officer - International Trade Policy	Confederation of Indian Industry (CII)	India	Private
18	Sanjay	Dave	Former Chairman of Codex Alimentarius Commission, and Advisor	Food Safety and Standards Authority of India (FSSAI)	India	Public
19	Pravati	Deb	Deputy Director	Department of Fisheries, MoFL, Government of Bangladesh	Bangladesh	Public
20	Syed Abdullah	Farhad	General Manager	N. Mohammad Plastic Industries Ltd.	Bangladesh	Plastic
21	Kanis	Fatama	Research Associate	Business Initiative Leading Development (BUILD)	Bangladesh	Private
22	Nahian	Ferdous	Manager, Coordination & Business Development	Alhaj Jute Mills Ltd.	Bangladesh	Jute
23	Aditya	Ghosh	International Marketing Head	Artemis Hospitals	India	Health
24	Edgar (Ned)	Gravel	Senior Standards Advisor	USAID Asia & Middle East Economic Growth Best Practices Project (AMEG)	USA	Public
25	K.M.	Hanif	Assistant Director (CM), Certification Marks Wing	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh	Public
26	Mohammad	Hasan	Executive Director	Babylon Group	Bangladesh	RMG
27	Syed Muhammad Shoaib	Hasan	Chief Executive Officer	Hifs Agro Food Industries	Bangladesh	Agro
28	Monali Zeya	Hazra	Regional Program Manager	USAID/India	India	Public
29	Mohammad Monower	Hossain	Senior Deputy Secretary, Environment	Bangladesh Garment Manufacturers & Exporters Association (BGMEA)	Bangladesh	RMG

No.	First Name	Last Name	Position	Organization	Country	Sector
30	Mohammad Nurul	Islam	Secretary	Bangladesh Tanners Association (BTA)	Bangladesh	Leather
31	Mohammed Shahidul	Islam	Head of Government & Regulatory Affairs	Rahimafrooz (Bangladesh) Ltd.	Bangladesh	Agro
32	Sabila	Jaiwal	AD (Imports)	Food Safety and Standards Authority of India (FSSAI)	India	Public
33	Md. Taher	Jamil	Deputy Director (Admin), Administration Wing	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh	Public
34	Naveen	Jangra	Associate Director	National Accreditation Board for Testing & Calibration Laboratories (NABL)	India	Public
35	Anil	Jauhri	Chief Executive Officer	National Accreditation Board for Certification Bodies (NABCB)	India	Public
36	Indu Bikram	Joshi	Director	South Asian Regional Standards Organization (SARSO)	Bangladesh	Public
37	Syed Humayun	Kabir	Director General	South Asian Regional Standards Organization (SARSO)	Bangladesh	Public
38	Pranav	Kumar	Head of International Trade Policy	Confederation of Indian Industry (CII)	India	Private
39	Simrat	Labana	Project Management Specialist	USAID/India	India	Public
40	Rajesh	Maheshwari	Joint Director	National Accreditation Board for Certification Bodies (NABCB)	India	Public
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42	V	Manjunath	Standards and Program Manager	Underwriters Laboratories Inc.	India	Private
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44	Ishrat Jahan	Nabila	Design and Business Development Consultant	Creation (Pvt) Ltd.	Bangladesh	Jute
45	Prithviraj	Nath	Associate Director	Consumer Unity & Trust Society (CUTS) International, Jaipur	India	Think Tank

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47	Isaiah	Oliver	AMEG Deputy Chief of Party	USAID Asia & Middle East Economic Growth Best Practices Project (AMEG)	USA	Public
48	Sudhanshu	Pandey	Joint Secretary	Department of Commerce, Government of India	India	Public
49	Ramkishan Sultanji	Pareek	Executive Director	Nikunj Fabrics Pvt Ltd	India	RMG
50	Bikash Chandra	Paul	Executive Director	New Age Group	Bangladesh	RMG
51	Abu Sayed Md. Mamun Ur	Rahman	General Manager	Platinum Jubilee Jute Mills Ltd. (an enterprise of Bangladesh Jute Mills Corporation)	Bangladesh	Jute
52	Md. Hafizur	Rahman	Deputy Secretary & Deputy Coordinator	Business Promotion Council, Ministry of Commerce, Government of Bangladesh	Bangladesh	Public
53	Md. Mahbubur	Rahman	Deputy Director	Bangladesh Accreditation Board, Ministry of Industries, Government of Bangladesh	Bangladesh	Public
54	Selim	Raihan	South Asia Standards Expert	USAID Asia & Middle East Economic Growth Best Practices Project (AMEG)	USA	Public
55	Nisha	Rajan	Economic Specialist	U.S. Department of State	India	Public
56	Nahid	Rashid	Commercial Counselor of Bangladesh	Bangladesh High Commission	Bangladesh	Public
57	Sashi	Rekha	Director	National Accreditation Board for Certification Bodies (NABCB)	India	Public
58	Anil	Relia	Director	National Accreditation Board for Testing & Calibration Laboratories	India	Public
59	Deepak Kumar	Sahoo	Policy Analyst	APJ-SLG Law Offices	India	Private
60	Tanmay	Sarkar	Senior Manager - Business Development	Muez-Hest India Pvt. Ltd.	India	Agro

No.	First Name	Last Name	Position	Organization	Country	Sector
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62	S. K.	Saxena	Director	Export Inspection Council	India	Public
63	Forhad	Sharif	Export Manager	National Polymar Group	Bangladesh	Plastic
64	Ajay Arun	Shirodkar	Co-founder & Managing Director	Dr. Shirodkar's Health Solutions Pvt. Ltd.	India	Agro
65	Hossain Ali	Sikder	Vice President	Dhaka Chamber of Commerce and Industry (DCCI)	Bangladesh	Leather
66	Ritesh Kumar	Singh	Group Economist	Raymond	India	RMG
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73	T.S.	Vishwanath	Principal Advisor	APJ-SLG Law Offices	India	Private
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76	Abu Riyaz	Zaffar	Administrative Officer	Indian Jute Mills Association	India	Jute
77	Sudhir	Zutshi	Director of Government & Industry Affairs	UL India Private Limited	India	Private

ANNEX D. TASK FORCE VOLUNTEERS

NAME	APPOINTMENT	ORGANIZATION	ECONOMY
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Mr. Monzur Morshed Ahmed	Research Coordinator & Principal Scientific Officer	Bangladesh Council of Scientific and Industrial Research (BCSIR)	Bangladesh
Mr. Md. Obaidul Azam	Joint Secretary (Export)	Ministry of Commerce, Government of Bangladesh	Bangladesh
Mrs. Shamim Ara Begum	Director (Physical) Physical Testing Wing	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh
Mr. Bishwajit Chakraborty	Senior Manager, Export Department	PRAN Foods Ltd.	Bangladesh
Mr. Md. Nazrul Islam Chowdhury	Senior Officer - Regulatory Affairs	Metropolitan Chamber of Commerce & Industry, Dhaka (MCCI)	Bangladesh
Mr. Mohammed Alamgir Chowdhury	Secretary Incharge	Chittagong Chamber of Commerce & Industry (CCCI)	Bangladesh
Ms. Pravati Deb	Deputy Director	Department of Fisheries, MoFL, Government of Bangladesh	Bangladesh
Mr. Syed Abdullah Farhad	General Manager	N. Mohammad Plastic Industries Ltd.	Bangladesh
Mr. Nahian Ferdous	Manager, Coordination & Business Development	Alhaj Jute Mills Ltd.	Bangladesh
Mr. K.M. Hanif	Assistant Director (CM), Certification Marks Wing	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh
Mr. Mohammad Hasan	Executive Director	Babylon Group	Bangladesh
Mr. Syed Muhammad Shoaib Hasan	CEO	Hifs Agro Food Industries	Bangladesh
Mr. Mohammad Monower Hossain	Senior Deputy Secretary, Environment	Bangladesh Garment Manufacturers & Exporters Association (BGMEA)	Bangladesh
Mr. Mohammad Nurul Islam	Secretary	Bangladesh Tanners Association (BTA)	Bangladesh

NAME	APPOINTMENT	ORGANIZATION	ECONOMY
Mr. Mohammed Shahidul Islam	Head of Government & Regulatory Affairs	Rahimafrooz (Bangladesh) Ltd.	Bangladesh
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Dr. Syed Humayun Kabir	Director General	South Asian Regional Standards Organization (SARSO)	Bangladesh
Mr. Pranav Kumar	Head - International Trade Policy	Confederation of Indian Industry (CII)	India
Mr. Rajesh Maheshwari	Joint Director	National Accreditation Board for Certification Bodies	India
Ms. Ishrat Jahan Nabila	Design and Business Development Consultant	Creation (Pvt) Ltd.	Bangladesh
Mr. Bikash Chandra Paul	Executive Director	New Age Group	Bangladesh
Mr. Abu Sayed Md. Mamun Ur Rahman	General Manager	Platinum Jubilee Jute Mills Ltd. (an enterprise of Bangladesh Jute Mills Corporation)	Bangladesh
Mr. Tanmay Sarkar	Senior Manager - Business Development	Muez-Hest India Pvt. Ltd.	India
Mr. Kbd. Golam Md. Sarwar	Assistant Director, Agriculture & Food Division	Bangladesh Standards & Testing Institution, Ministry of Industries, Government of Bangladesh	Bangladesh
Mr. Forhad Sharif	Export Manager	National Polymar Group	Bangladesh
Mr. T. S. Vishwanath	Principal Adviser	APJ-SLG Law Offices	India
Mr. Abu Riyaz Zaffar	Administrative Officer	Indian Jute Mills Association	India

Confederation of Indian Industry

ANNEX E. NON-FOOD GROUP OUTPUTS

Outputs of the Dialogue Workshop on Conformity Standards

25 May, 2017 New Delhi

Non- Agro Based Industry: Jute, Leather, RMG & Textiles, Plastics

Trainer: Mr. T.S. Vishwanath

SESSION 1: IDENTIFYING ISSUES

The aim of the session was to identify standards and conformity assessment related issues which effect non-agro based sectors. The focus was on those specific technical regulations and conformity assessment issues which impact Bangladeshi Exports to India.

Issues raised in earlier discussions included – non-acceptance of test certificates, strict labelling, and certification et al. The question to be addressed was whether Bangladeshi exporters face problems conforming to these standards. Also, if they find any discrepancies in conformity assessment on the Indian side.

The Bangladeshi delegates expressed their wish to discuss issues regarding standards capabilities in terms of international versus national standards. They also wished to identify areas for capacity and infrastructure building by setting up testing labs and smoothening the certification process.

The discussions that followed were done on the basis of these observations in order to identify the problems.

1. JUTE SECTOR

Conformity Issues:

- Labelling and Marking – compulsory labelling drives up transaction costs. Given the nature, texture, surface and roughness of jute sacks and hessian bags, printing 'made in Bangladesh' becomes very difficult, and expensive. Furthermore, Indian exporters who use Bangladeshi sacking bags prefer not to have the labels as they use them for exporting Indian products abroad. (Issues regarding Rules of Origin)
- There are buyer standards in jute products. While there is no issue as regards quality, there is an issue regarding quantity and pricing. Indian domestic producers have the advantage in this area as they use machine production rather than handloom production. This makes diversified Bangladeshi jute products uncompetitive in the Indian market despite being highly competitive in foreign markets.
- There is rejection of products at the end-buyer stage due to issues regarding licensing.
- There is also need for higher information dissemination amongst Bangladeshi producers in terms of the necessary Indian standards.

General issues:

- While there is enough export of raw jute, there is barely any of diversified jute products from Bangladesh to India. The reason identified was that Indian processed jute products are cheaper as there is mechanized production. Most of Bangladeshi processed production is, however, hand-made, and therefore costs more making them non-competitive in the Indian market.
- There is transfer of technical know-how from Indian to Bangladesh in the RMG and other sectors, this does not happen in the jute sector.

Tariff based issues:

- Issues regarding anti-dumping notifications were brought up. It was noted that these are already being negotiated at the government – to – government level.
- Loading and unloading takes longer at the Indian borders which drives up transaction costs.

2. TEXTILES AND READY-MADE GARMENTS (RMG)

General Issues:

- Issue of non-payment by Indian buyers (specific case of Lilliput)
- Sale of counterfeits of Indian brand products by Bangladeshi manufacturers (Raymond)

3. LEATHER

Conformity Issues:

- Perception that tests of consignments from Bangladesh happen more often. This may decrease exporter confidence.
- Health Certification requirements cause delays
- It appears that there is mandatory testing of goods

COMMON CONFORMITY ISSUES FACED ACROSS SECTORS

- **CERTIFICATION REQUIREMENTS**
  - Lack of information at the ports about recognized certificates based on MRA's.
  - There are not enough certified labs closer to the Bangladesh – India border than Kolkata. This increase transaction costs due to conformity requirements acting as a non-tariff barrier to trade.
  - No clarity on the requirement for SGS certification from the states even though it is not a buyer requirement (Plastics industry)
- **LICENSING**
  - Under BIS's Foreign Manufacturers Certification Scheme (FMCS), licenses are granted for a period of one year.
  - The Bangladeshi private sector delegates felt that the license could be issued for a longer period of time (up to 3 years) and the cost reduced.
- **LOADING AND UNLOADING**
  - Cause delays in terms of getting the products to markets. On average, only three consignments are cleared per day. The requirement felt is for 5 so as to reduce time costs.
  - Costs also go up taking products from one state to another (goods and services taxes will ease this.)
- **MoU BETWEEN GOVERNMENT OF INDIA AND BANGLADESH**
  - There has been a MoU signed regarding conformity and standards.
  - Needs implementation
- **Need felt for capacity building in the private sector in terms of training (ISO/IEC 17025)**

SESSION 2: SOLUTIONS

1. LABELLING ISSUES

- As long as the same mandatory requirement exists for national industry, labelling would have to be complied with regardless of buyer preference.

2. TECHNICAL ASSISTANCE

- There was concern over technological know – how and whether it could be addressed through more robust information dissemination and training.
- However, the Bangladeshi private sector must identify specific needs for the above to be done effectively.

3. CAPACITY BUILDING

- Issues related to training and capacity building would require domestic initiative.
- The Bangladesh Accreditation Board (BAB) already conducts workshop on ISO/IEC 17025, but these are based on market requirement and demand.

4. TESTING

- The perception that Bangladeshi leather products are tested more may be due to more random sampling and testing rather than any inherent bias. The same is true for RMG. There is no official study that states that such a bias exists.
- If the argument is that border checks at the Indian border are more than at other world borders, then that is a matter of state prerogative.
- However, if the argument is that Bangladeshi products are tested more often than the same products from other countries, then a comparative study must be conducted and submitted to Indian authorities by Bangladeshi stakeholders, following due course.
- As far as the issue of setting up testing labs is concerned, in India, it is the private sector that takes up this task on behalf of the government. Labs are set up based on market requirements.

GENERAL SUGGESTIONS:

- Creating more Integrated Customs Ports (ICP's). (Only 3 of 25 so far are ICP's).
- Increase the number of MRA's.
- Central Bank involvement in issues of non-payment by buyers. There is a need here for government – to – government solutions.
- Building connectivity between counterpart labs.

SESSION 3: WAY FORWARD

The delegates found it necessary to identify the responsibilities that each stakeholder would have to take up to implement the solutions discussed. The stakeholders included the governments on both sides as well as industry on both sides.

1. LABELLING ISSUES

- If Indian industry feels that the requirement should be changed, then they would have to approach the government from their side (perhaps through CII)

2. TECHNICAL ASSISTANCE

- Bilateral cooperation between the Bangladeshi private sector and the Technology Development Board under the Department of Science and Technology of the Government of India could be encouraged.
- Formal requests regarding the same would have to be made by those Bangladeshi industry members who wish for this transfer to occur.
- Visits could also be arranged for Bangladeshi industry members to their Indian counterparts (should they consent to do so), coordinated by BUILD and CII.

- Technology transfers in value-added products could be encouraged to increase access to markets for diversified goods.

3. CAPACITY BUILDING

- Indian collaboration in terms of experts and guidance is already available. Contacting the right bodies for specific training is necessary.

4. TESTING

- A study into the testing lab requirements must be done. This would require looking into the volume of trade flows in the areas nearer the India – Bangladesh border.
- Stakeholder consultation would be required for the same.
- The status of MRAs between accreditation bodies needs to be looked into. Especially as concerns acceptance by regulators of certifications for which equivalence has been established.
- It is important to understand that accreditation only facilitates acceptance of conformity assessment results. It does not guarantee this. If a sector is regulated, the concerned regulating authority has discretion in whether or not it accepts the test results.

5. CERTIFICATION

- In order to address issues surrounding SGS certifications for the leather industry, the Bangladeshi private sector would have to provide specific orders and notifications to be taken up at the government to government level. The initial study may be done by BUILD.
- Health certification concerns matters regarding SPS and cannot really be challenged. If issues are faced in conforming to the standards set, it may be alleviated through training and skills development.

GENERAL SUGGESTIONS:

- More government to government interaction
- Training on voluntary standards for Bangladeshi importers.
- Identifying the correct agencies for training purposes (CII and BUILD to create a list). An information bank of experts may be created.
- Finding government to government mechanisms for technological transfer.
- Making government more aware of industry issues.
- The issue regarding the extension of the time period for the FMCS license is granted may be put forward in a recommendatory fashion.
- A deeper study of Bangladeshi standards may be conducted to create and negotiate substantive MRAs. This could be a collaborative effort between CII and BUILD so as to find products in which parallel standards exist.
- There is a need for clarity in identifying ports which may be developed as Integrated Customs Ports (ICPs)
- Better coordination though the ILAC and the Asia Pacific Laboratory Accreditation Cooperation.

ANNEX F. FOOD GROUP OUTPUTS

Discussions

The Food Group Discussion was led by Mr. Sanjay Dave, Former Chairman, Codex Alimentarius and Advisor – FSSAI. The discussion group had a series of presentations made by Mr. Dave on various SPS measures and how Bangladesh can augment its capacity to meet and conform to Indian Standards.

The discussions began with Components on WTO on Food Safety (SPS and TBT), Principles governing SPS and TBT Agreements and Special and Differential Treatments

The purpose of SPS was also expanded upon and the International Standard Setting bodies in Food, Animal and Plant safety were explained. The Basic principles governing SPS are – Transparency and Scientific Justification.

The WTO SPS Committee and Special & Differential Treatment functions for Addressing Specific Trade Concerns and strengthening implementation. An individual country's commitment under the SPS was also touched upon. Specifically, it was stressed that codex is the reference standard under WTO.

The discussions then moved on to understanding the essential elements of a food control system. A food control system contains both strategic and regulatory elements. The need for strategic and regulatory elements was discussed. More importantly, the common problems for decreases in exports and increases in imports can be trace to a lack of commitment to food safety, lack of awareness about international standards and a lack of training.

To combat these, the aim is to first understand the objectives of your food policy and based on the same frame a policy for food safety and set up a strategy for the country and regulatory mechanism. It also requires keeping updated and making use of codex standards set up an infrastructure for food safety and invest in training.

The strategic elements involve - Harmonization of Food Standards with Codex, Participate in Codex Discussions, implement Food Safety Management Systems (FSMS), upgradation of laboratory equipment and introduction of food safety education.

Following this, the focus shifted to the Codex and its importance in the national food system. A history of the Codex Alimentarius was briefly shared. Some of the major achievements by Codex include (among others) becoming a reference text for the WTO, capacity building and contributions by Developing economies (making it a global body). Codex has relevance to its members in terms of working on consensus, covering a wide range and a framework for harmonizing national standards. It also provides flexibility in adaption and a forum for settling differences.

The attention then shifted to understanding how India increased its participation in the Codex and also tackle its domestic scenario which poses huge problems in terms of malnutrition, hunger, calorie deficiency etc. This step wise and strategic approach helped improve India's situation including increases in food exports and decreases in measures of malnutrition, anemia etc.

Some questions which emerged were that why not there be safety for domestic markets and what are the steps need to be taken. Why can't we demand quality and safety? There is also a lack of awareness and training among manufacturers. The world is currently moving from products based standards to process based standards.

The role South Asian Regional Standards Organization (SARSO) in harmonization of standards was mentioned and emphasized. The example of ASEAN, CIS and Latin American countries agreeing to standards and also adopting codex in case of non-consensus was touted as examples.

Turning to risk assessment, the role of the International Risk manager and International Risk Assessment was elaborated. Turning to the basis for the setting of Indian standards, the aim has been to harmonize India's Food Standards with codex standards and related texts. The process of standard setting in India, the board risk assessments steps of FSSAI were also elucidated.

The presentation and discussions ended with two cases studies of India in grapes and organic products, the challenges India faced and how it overcame them and how Bangladesh can learn from the experience of India in dealing with International Food Standards and augmenting domestic capacity.

At the end of the discussions, the following action points on Standards and Conformity issues for the sector were identified. The same are listed below.

Standards Issues for the Sector

- Participation in Setting of Codex Standards **(**Agency responsible **- Bangladesh Standards and Testing Institution [BSTI])**.

- Regional Harmonization of Standards. Work of SARSO need to be strengthened **(**Agency responsible **– South Asian Regional Standards Organization [SARSO])**.

- Retrieve information on standards of the importing countries for the exporters **(**Agency **responsible - Agro Business Promotion Council)**.

- Develop Standards and Standard Operating Procedures (SOPs) for implementing FSMS among the stake holders **(**Agency responsible **- Bangladesh Standards and Testing Institution [BSTI])**.

- India and Bangladesh to work on mutual acceptance of food safety standards to enhance bilateral trade (Agency responsible - **Food Safety and Standards Authority of India [FSSAI]** and **Bangladesh Food Safety Authority** [BFSA]).

Conformity Assessment Issues for the Sector

- Bangladesh has many accredited labs, though more capacity building of testing laboratories is required (Ministries Responsible - **Concerned Ministries**).

- Initiate a bilateral discussion with India on determination of equivalence for labs and certification bodies (Ministries/Agencies responsible - **Ministry of Commerce/Bangladesh Accreditation Board [BAB]/BSTI/ Bangladesh Food Safety Authority and FSSAI**).

- Enhance Capacity in the Industry for implementing FSMS through training (**will require Private and Public Sector Support**).

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